



FROM THE EDITOR'S DESK

What an impressive way to start a relationship. I just can't think of enough words to say Thank You for the wonderful response.

At the time of preparing the draft version of our first newsletter, we were deliberating whether we should have an **Immigration Quiz** that asks users to write down a response. Some argued we won't get a single response... but hey... we got over thirty responses, and believe me, it was quite difficult selecting the best one. Congratulations to the winner of our first Immigration Quiz - **Olusola Davies**. You win a **FREE online consultation**.

More than 160 friends cast their vote in **Your Opinion** and over 85% agreed that the current annual H-1B Cap should be raised.

The days to come are likely to be harder on US employers. The H-1B Cap was reached in a record time this year. The Department of State released a warning in the September Visa Bulletin that Employment Based Green Card numbers may be heading towards a crisis. EB-3 numbers are currently not available. EB-1 and EB-2 numbers may not be current for Chinese and Indians from December onwards. The talk of the town is that Comprehensive Immigration Reforms are coming soon... all we can do is wait and watch.

So what do we have this time? We recently uploaded information related to [L-1 Full Service](#) for setting up a new office in the United States and an article on [Forms of Business Entities](#) in the US. In our **In Focus** section we talk about spouses on dependant visas who can work in the US. This week's Immigration Article explains Adjustment of Status and Consular Processing alternatives for obtaining a green card.

[Send us your feedback](#) on how your **Immigration Monitor** is coming along, and also what you would like us to cover in the next issue. Since there are no formalities between friends, do let me know what you liked and what you didn't like in this issue.

Christine

LATEST NEWS

[DOL amends PERM FAQ; Removes response on multiple filing of LCAs](#)

The U.S. Department of Labor (DOL) removed its response related to multiple filing of LCAs from its FAQ, retracting its earlier response that under PERM an employer cannot have more than one LCA in process for the same alien at any given time.

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YOUR OPINION

Should spouses of H-1 visa holders be allowed to work in the US the way L-2 spouses work?

- a. Yes
- b. No

- [Cast Your Vote](#)
- [View Results](#)

IMMIGRATION QUIZ

Win a FREE Online Consultation!

Submit your answer to the query below. The best response will be published in the next **Immigration Monitor** and the winner will receive a **FREE Online Consultation** from an Experienced VisaPro Immigration Attorney

[New E-3 visa for Australians: DOS issues regulations](#)

With the publication of the final rule, Australians are now able to apply for E-3 visas to work in the United States.

[Filing an appeal or Motion to Reopen / Reconsider becomes costlier](#)

Effective September 28, 2005 the filing fee for an appeal to Administrative Appeals Office (AAO), motion to reopen or motion to reconsider will increase from \$110 to \$385.

[I-9 announcement for employers hiring victims of Katrina](#)

The Department of Homeland Security (DHS) has announced that it will not sanction employers for hiring victims of Hurricane Katrina who, at this time, are unable to provide documentation normally required under Section 274A of the Immigration and Nationality Act.

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IN FOCUS

Dependant Spouses: Working in US a Distant Dream?

"I feel helpless. Back home I was working with a fashion house as their primary designer. Here I have nothing to do but sit at home. Not like my friend Suzanne, who got her employment authorization and now works for a consulting company." says Olivia with sadness in her voice.

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INDUSTRY PERSPECTIVE

H-1B quota 2006: U.S. employers taken by surprise

The U.S. Citizenship and Immigration Service (USCIS) announced on August 12, 2005 that it had met the 65,000 H-1B congressionally mandated cap for the 2006 fiscal year, which means that companies that need highly educated foreign professionals with critical skills will have to wait nearly 14 months before they can obtain this needed expertise.

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IMMIGRATION ARTICLE

[Adjustment of Status vs. Consular Processing](#)

Permanent residence (Green Card) status is conferred either through issuance of an immigrant visa (IV) by an American consular post abroad or through approval of an 'adjustment of status' application (Form I-485) by the USCIS in the U.S. For those present in the U.S. both alternatives may be available. Foreign nationals going through the

during the month of October 2005.

I am a US citizen and got married in Russia last month. I have applied for a K-3 visa for my spouse who already has a tourist visa. Can my spouse visit me in the US using her tourist visa while the K-3 petition is pending?

[Submit Your Answer](#)

Immigration
Problem?

Get an Answer
Online!

Click Here



Winner of the Immigration Quiz - August 2005:

Olusola Davies

The Question:

I hold a 10 year US tourist visa. I want to do a summer course in the US. I don't want to lose my visitor visa status as it is difficult to get it back in India. I want to know if it is okay to study on my tourist visa. I want to know if it is possible and safe to do so.

The Winning Response:

If you intend to enroll in an accredited university or program you will need an F1 visa. B visa holders are not eligible to enroll in schools while on their B visas. It is not possible or safe to do so.

Olusola Davies receives a **FREE Online Consultation** from an Experienced VisaPro Immigration Attorney during the month of September 2005.

permanent residence process often find themselves trying to figure out which of the two alternatives is better for their case. This summary is for those applicants who have a choice.

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PROCESSING TIMES

▶ [Visa Bulletin](#) ▶ [USCIS Processing Times](#) ▶ [Local USCIS Offices](#)



L-1 VISA (Intra-Company Transferees)
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IMMIGRATION GLOSSARY

I-131

Application for Travel Document. This form is used to apply for an INS Travel Document, [reentry permit](#), [refugee travel document](#) or [advance parole](#).

Qualifying Relative

Qualifying relative is a general term for a sponsor and may include the intending immigrant's: spouse, parent, mother-in-law, father-in-law, sibling, child (if at least 18 years of age), son, daughter, son-in-law, daughter-in-law, sister-in-law, brother-in-law, grandparent, or grandchild.

DS-156

Nonimmigrant Visa Application. This form is required for each person traveling to U.S. - even children and babies listed in parents' passports.

[More Terms](#)

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DISCUSSION CORNER

[My New Australian Bride. Need Help Please.](#)

By clothesofsand (Junior Member)

[Married while waiting for K1](#)

By stuck_canuck (Junior Member)

[To Marry or Not To Marry?](#)

By Gringa (Junior Member)

[More Discussions](#)



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IMMIGRATION FAQ

1. **On what visa can I enter the U.S. to marry a U.S. citizen?**

To enter into the U.S. to marry a U.S. citizen you need a [K-1](#) fiance visa. Your U.S. citizen fiance must file [Form I-129F](#), Petition for Alien Fiance, with the United States

Citizenship and Immigration Services (USCIS) Service Center with jurisdiction over their residence. Once the petition is approved, the USCIS will forward the approved petition, through the National Visa Center, to a U.S. embassy or consulate in your home country which will schedule an interview for a fiancé visa.

2. **Will my K-1 status automatically change to permanent resident status after I marry my U.S. citizen fiancé?**

No, your K-1 status does not automatically change to legal permanent resident after your marriage with your U.S. citizen fiancé. You need to file for [Adjustment of Status](#) to become a legal permanent resident after you marry your U.S. citizen fiancé.

3. **Can I apply for legal permanent resident status before marrying my U.S. citizen fiancé?**

On K-1 visa, you may not:

No, you may not apply for a Green Card before marrying your U.S. citizen fiancé. The United States Citizenship and Immigration Services (USCIS) needs proof of your marriage when you file for a Green Card.

Note: Your permanent resident status is based on your marriage to your U.S. citizen fiancé.

[More FAQ](#)

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SUCCESS STORIES

"VisaPro provided my wife and I with fast and economical services at a time when we could not do it on our own. In fact, adjustment of status of my wife's visa was actually made easy by the knowledgeable staff at VisaPro. I found them very friendly and knowledgeable about our very complex immigration laws. They always provided quick responses and straight forward answer to our inquiries. Our paperwork was always done right the first time and always filed promptly.

I also found VisaPro's fees surprisingly low for all of the services they provide. They truly did make dealing with our immigration laws a tolerable experience. I cannot imagine a more trustworthy and helpful immigration service than VisaPro. Thank you Pam and all the staff at VisaPro for your exceptional services."

Michael & Elena Anderson
United States

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Send in your suggestions on topics that you want us to cover and Tell us what you think about us.

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"Immigration Monitor" is published monthly for users and clients of VisaPro.com. Our goal is to help keep you informed of the trends and events related to US Immigration.

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