



## FROM THE EDITOR'S DESK

February has started and all eyes are on the U.S. Congress. The Senate is scheduled to discuss the various bills introduced in the Senate during the past few months. The debate on comprehensive immigration reform is likely to generate a lot of interest. The activity in the Congress during the next few weeks will decide the future of employment-based immigration to the United States.

Last week I found some time to review the report of Congressional Research Service (CRS) on L-1 visa submitted to the Congress. L-1 visa is for intra-company transferees who work for an international firm or corporation in executive and managerial positions or have specialized knowledge of their company's products or services. In FY 2005 the U.S. Department of State issued 122,981 L visas, out of which 65,458 are L-1 visas for principal nonimmigrant and the balance for dependants (L-2). Another interesting figure coming out of the report is that almost two-thirds (32.4%) of the L visas were issued to aliens from India, followed by Great Britain (10.5%) and Japan (9.8%). We will analyze this report in the next issue of **Immigration Monitor**.

We were overwhelmed with the positive feedback received from our friends from all across the world commending our initiative to cover visa procedures at various consulates in your **Immigration Monitor**. While we visited East Asian countries last month, this time we halt on the banks of The Thames. Our **In Focus** article for this month explains E-2 visa processing at the U.S. Embassy in London, U.K. Keep sharing your [immigration experiences](#) with us so that we can include your experiences in our articles for the benefit of our other friends.

Very often we get queries from individuals who are confused between the dates that are stamped on their visa and the date stamped by the officer on the I-94 card at the airport at the time of entry into the U.S. We have seen a lot of cases where a nonimmigrant mistakes the dates on his visa as the period of his authorized stay, and thus, ends up in serious trouble. The **Immigration Article** in this issue helps you to know the difference between 'Visa' and 'Status'.

Last month's poll question seemed to be a bit challenging for our readers. The opinion was again divided. More than half of the participants believe that the Government needs to do more to secure America's borders. This month we have an interesting question for you to express **Your Opinion**. So don't forget to cast your vote.

**Pallavi Vajranabhaiah** deserves all the Congratulations for winning last month's **Immigration Quiz**. A significant number of participants confused the denial of visa application with the denial of the petition. Make sure you research well for this month's question.

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### YOUR OPINION

Which one of the following, according to you, will be the most important issue for discussion before the Congress during the next few weeks?

- a. Border Security
- b. Guest Worker Program
- c. Removal of illegal immigrants
- b. Recapture of H-1B and employment-based immigrant visas

[Cast Your Vote](#)

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### 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

Who knows, your name may find a mention in the next newsletter. All the Best!

Last month I also gave you a glimpse of some exciting projects that we are working on for this year. And here we are with the first of them... [www.VisaPro.in](http://www.VisaPro.in), a website specifically for our patrons in India. Let me know what you think about this initiative. I just can't wait to see it all happening during the coming year, but let's unfold each surprise one at a time.

Don't forget to add our address [Immigration-Monitor@VisaPro.com](mailto:Immigration-Monitor@VisaPro.com) to the list of your contacts so that you see the Immigration Monitor in your email Inbox every month and you will not miss the latest immigration activity.

**See you in the next month with a lot more!**

*Christine*

## LATEST NEWS XML

### [Visa Bulletin for March 2006](#)

The Visa Bulletin for March 2006 issued by the U.S. Department of State (DOS) shows forward movement in the cut-off dates for most of the retrogressed categories. This is because demand by USCIS offices for adjustment of status cases has been much less than anticipated.

### [USCIS extends validity of Medical Certifications on Form I-693](#)

The validity of the civil surgeon's endorsement on Form I-693, when submitted in support of a concurrently filed adjustment of status application, is extended until the time of adjudication if no Class A or Class B medical condition is certified by the civil surgeon.

### [DOS cable on validity of Student visas after a break in studies](#)

The U.S. Department of State has released a cable to clarify the issue of whether a F-1 or M-1 visa remains valid after a student has a break in studies longer than five months.

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## IN FOCUS XML

### **E-2 Treaty Investor visa processing in the U.K.**

The E-2 Treaty Investor visa allows nationals from countries that have treaties of commerce and navigation or bilateral agreements in effect with the U.S., to enter the U.S. for the purpose of directing and developing the operations of an enterprise they have invested in, or are in the process of investing a substantial amount of capital.

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receive a **FREE Online Consultation** from an Experienced VisaPro Immigration Attorney during the month of March 2006.

*I entered the U.S. on L-2 visa last month. I read on USCIS website that an L-2 spouse is allowed to work in U.S. but when I applied for work and submitted copy of my L-2 visa and I-94, the employer said that I am not authorized to work yet. I am confused. Please suggest what I should do.*

[Submit Your Answer](#)

**Immigration Issue?**

Consult Our Experienced Attorneys

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### **Winner of the Immigration Quiz - January 2006:**

Pallavi Vajranabhaiah

#### **The Question:**

*After changing status from B-1 to H-1B visa I went to Canada for H-1B stamping, however, the officer rejected my application. Can I reapply in my home country for stamping on the same H-1B?*

#### **The Winning Response:**

In this case the stamping might have been rejected for various reasons like for example the officers at Canada might not have been able to verify the applicants degree as it was obtained in a foreign country. Hence the applicant can still apply from his/her home country on the same H1-B.

Pallavi Vajranabhaiah receives a **FREE Online Consultation** from an Experienced VisaPro Immigration Attorney during the month of February 2006.

## Know the difference between 'Visa' and 'Status'

It has become vitally important for all foreign nationals coming to the U.S. to maintain their status at all times. In order to maintain legal status while in the U.S., you must understand the difference between the two legal terms — 'Visa' and 'Status'.

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## PROCESSING TIMES [XML](#)

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

## DISCUSSION CORNER [XML](#)

[Travel question - please answer!](#)

By mnychis

[E-3 visa denied under section 221\(g\)](#)

By aviezer

[Can TN's attend school?](#)

By Alea

[More Discussions](#)

**E-2 VISA** (Treaty Investors and Family)  
Quick, Easy, Economical.

Online Processing  
Apply Now!

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## QUESTIONS AND ANSWERS

- 1. I am a German citizen married to a born American. I immigrated to the USA from Germany in 2005. I have a temporary green card which expires in May of 2007. My husband and I plan to go to Germany for one year in April of 2006. How do I go about keeping my status and obtaining a reentry permit in the United States?**

There are several things that you can do to establish that you have no intention of abandoning your permanent residence status. The first is to apply for a Re-Entry Permit. This allows you to remain outside the US for up to two years before returning. The application is made on Form I-131 and is submitted to the Service Center with jurisdiction over your place of residence. We also advise clients to do a lot of other things to give additional proof of their intent; such as filing your tax returns as a resident - even if you are taking advantage of the foreign tax credits available and you have no taxable income; maintaining a bank account and/or credit cards in the US; maintaining your US driver's license; maintain an address of some sort in the US, even if it is through family, etc.

Once you return you will have to file an application to remove the conditions from your status. The application must be filed while you are physically in the US. If you are still outside the US when your card expires (if you get delayed in South Africa) you can go to the US Consulate and get a "returning resident" visa or a travel letter that will get you on the plane to come back. Upon reentry you can file the I-751. We have successfully helped a lot of clients in similar situations. Please [contact us](#) if you need further help.

- 2. I have an H4 visa stamped in my passport that expires in June 2006 and a few months ago I got my own H1B visa. I do not have that one stamped in my passport yet. I would like to know if I could still use my H4 visa to travel since**

### GOT A QUESTION?

If you have a short, simple query on immigration to the U.S., send your questions to us. We will select and answer a few of the queries in every issue.

**Note:** Responses posted in this section provide only general information. Since immigration law is a complex matter, please [consult](#) an immigration attorney before acting upon any responses provided.

[Ask Your Question](#)

**I have that one in my passport until it expires and then get the H1B visa stamped.**

You will have to get a new [H-1B](#) visa stamped in your passport on the first trip you make outside the U.S. You would not be able to leave and reenter on your [H-4](#) visa and continue to work. Depending on your circumstances you may be able to apply for a visa at a consulate in Mexico or Canada before traveling to other countries.

[More Q&A](#)

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## SUCCESS STORIES

"I don't know where to begin!! I cannot convey to you how happy we all are - when I got this email about E-2 approval I actually cried, I was so happy and relieved to finally know that we can start building a life over here and that our daughter has the opportunities that we couldn't provide for her in the UK.

We cannot thank you enough for all your time & help. You made the process so easy for us with your friendly and helpful approach. You have been an absolute pleasure to deal with.

Thank you for being the key to our futures."

Warmest regards,

**Arwen Evans-Batt**  
United Kingdom

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Do you have any interesting immigration-related news to report? We will give a **FREE Online Consultation** to whoever provides us with the best news story of the month. [Send](#) your story.

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