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FROM THE EDITOR'S DESK

What's new in the immigration world? As usual there was a lot going on, both in the news and behind the scenes, ranging from the naturalization of over 39,000 people to new legislation.

With so many people migrating to the US on both immigrant and nonimmigrant visas, the USCIS is placing a lot of emphasis on the fundamental concepts of American democracy and the rights and responsibilities of US Citizenship in the naturalization process. It is for this reason that USCIS revised the [Naturalization](#) test. The new test was designed keeping in view the elementary concepts of American democracy and the rights and responsibilities of US Citizenship. The test was redesigned by the USCIS under the belief that studying for it will encourage naturalization applicants to learn and identify with the basic values that all Americans share. It was for this reason and in the interest of creating a more standardized, fair, and meaningful naturalization process, that the USCIS undertook this multi-year redesign of the Naturalization test.

In September the USCIS hosted two special Naturalization ceremonies, one each in Iraq and Kuwait, in which 235 service members from 54 countries became citizens of the United States. The USCIS officials volunteer to travel to combat theaters to conduct naturalization interviews and hold citizenship ceremonies for members of the U.S. military. Their tireless work, in several cases up until the last possible moment, ensured that 192 service members recited the Oath of Allegiance during a ceremony at Camp Victory in Baghdad, Iraq. Later in the week, USCIS officials

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also naturalized 20 service members at Camp Arifjan in Kuwait. We should give a hand to both the USCIS officers who put themselves at risk for this important work, and especially for these new citizens that are serving for our country.

The USCIS has more pleasant news on the naturalization front. More than 39,000 individuals became new citizens of the United States during special ceremonies hosted by USCIS to recognize Constitution Week. The naturalization ceremonies, held September 17 through September 23, commemorate the signing of the U.S. Constitution on September 17, 1787. The Naturalization ceremonies were scheduled for Citizenship Day, September 17, for as few as 20 citizenship applicants in St. Albans, Vermont, to as many as 3,000 applicants at Fenway Park in Boston.

USCIS posted a reminder for all its customers and constituents that the authorization for the non-minister special immigrant religious worker program (those in religious professions, occupations and vocations) are set to expire on Oct. 1, 2008. Individuals applying to serve in the two non-minister categories of the program must either adjust status to permanent residence or apply for, and be admitted with, an immigrant visa before Oct. 1, 2008. The two expiring categories are special immigrant religious workers in professional or non-professional capacities within a religious vocation or occupation. The expiration date will also apply to the accompanying or following to join spouses and children of these workers. Special immigrant religious workers entering the United States solely to carry on the vocation of a minister of a religious denomination are not impacted by the expiration date. There is hope that these categories will be extended as they have been in the past. The U.S. House of Representatives passed legislation on April 14, 2008, extending the expiration date and the Senate is currently considering similar legislation. If the bill to extend the expiration date passes both the House and Senate, and the President signs it, affected special immigrant religious workers with an approved [Form I-360](#) may be eligible to file [Form I-485](#).

We will continue to watch the legislative front and bring you news of progress of any bills pending before the House and Senate, and of any new bills that are of interest.

Other Developments in Immigration Law

[Update on Pending FBI Name Checks and Projected Naturalization Processing Times](#)

The DHS and the USCIS' Ombudsman announced a significant decline in the number of pending FBI name checks for individuals seeking immigration benefits in the

YOUR OPINION

Can the New Passport Card issued by DOL be used for international travel by air?

- a. Yes
- b. No
- c. Can't say

[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 during the month of October 2008.

I went to the US on an [L-1 Blanket](#). Now I have a more interesting job offer from another employer in the US, thus I'd like to know can I transfer or change jobs on an L-1 Blanket visa?

[Submit Your Answer](#)

Winner of the Immigration Quiz - August 2008:

Patricia Martin

The Question:

United States. FBI name checks, one of several security screening tools used by the USCIS, have delayed the adjudication of benefits for many thousands of applicants. The USCIS Ombudsman had identified FBI name check delays as one of the major hurdles to improved customer service at USCIS in his 2008 and 2007 Annual Reports to Congress.

CBP Launches New Phase of National Public Education Campaign - Reminded travelers to prepare for upcoming changes to cross-border document requirements

The U.S. Department of Homeland Security's Customs and Border Protection (CBP) announced today that it will launch the next phase of a national television, print and online advertising campaign during the National Football League © season kickoff game, to educate the public about new travel document requirements that will go into effect on June 1, 2009 under the Western Hemisphere Travel Initiative (WHTI).

Two Categories of Special Immigrant Religious Workers to Expire on October 1

It's like a reminder from the USCIS for all its customers that authorization for the non-minister special immigrant religious worker program will expire on Oct. 1, 2008. The USCIS even said that the individuals applying to serve in the two non-minister categories of the program must either adjust their Status to permanent residence or apply for, and be admitted with, an immigrant visa before Oct. 1, 2008. The two expiring categories are special immigrant religious workers in professional or non-professional capacities within a religious vocation or occupation. The expiration date also applies to the accompanying spouses and children of these workers. Special immigrant religious workers entering the United States solely to carry on the vocation of a minister of a religious denomination are not impacted by the expiration date.

Immigration Articles and Other Fun Stuff

Now for the regulars -- this month's **Immigration Article** provides an overview of one of the most predominant visa categories for spouses of US citizens: the [K-3](#) visa. The K-3 is a marriage-based visa which came into effect in August 2001. It was designed with a view to side-step the long delays in USCIS processing for bringing a foreign spouse into the U.S. Also check out our **In Focus** section for this month which gives a perfect blend of knowledge and understanding about 'Facing A Marriage-Based Immigrant Visa Interview'. The ten tips revealed in the article will help to ease the tension most of you face while preparing for and attending a marriage-based immigrant visa interview.

Every month we introduce a new and interesting question

Does an individual (foreign national) need to give up his or her passport from his native country after he receive a green card based on [marriage to U.S. citizen](#)?

The Winning Response:

No, you do not have to give up your passport on becoming a legal permanent resident. Your nationality doesn't change on getting a Green Card. You may apply to become a U.S. citizen after having a Green Card and being married to a U.S. citizen for three years.

Patricia Martin receives a **FREE Online Consultation** from an Experienced VisaPro Immigration Attorney during the month of September 2008.

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NEW TO VisaPro?

for our opinion poll. Last month's poll results indicate that approximately 52 % of the respondents believe that a Conditional Green Card holder does not have to receive an [Employment Authorization Document](#) (EAD) before he or she may accept employment in the US. We appreciate that people take an interest in the opinion question and cast their vote to give us their feedback. Keep it up! And continue to cast your vote to express **Your Opinion**.



We congratulate **Patricia Martin** for winning last month's **Immigration Quiz**. Again, we received a significant number of responses from our readers who talked about various solutions to support their position, but

Patricia Martin gave the correct answer and won a free online consultation to discuss her Immigration issues. So it's time to get ready for this month's quiz. If you know the correct answer your name might be featured in next month's newsletter. All the Best!!!

To ensure you receive your Immigration Newsletter, please add Immigration-Monitor@VisaPro.com to your address book or safe list.

See you next month with a lot more noise from the Immigration World!

Christine

VisaPro offers you the most comprehensive collection of Free, Fillable US Immigration Forms on the Internet. VisaPro's Free, Fillable Immigration Forms let you enter your information on-screen and print the completed form. For your convenience, all the immigration forms are grouped by category. [Click here](#) to view the complete list of forms available each specific category.

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VisaPro Attorney
Mr. Thomas Joy
at Bangalore



Consular Interview
Mock Session



Seminar Attendees
at Hyderabad

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[DOL announces more than \\$22 million in aid to Louisiana for recovery from Hurricane Gustav](#)

The U.S. Department of Labor (DOL) announced a \$22,200,000 grant to the state of Louisiana to fund approximately 4,000 temporary jobs for cleanup and recovery efforts following Hurricane Gustav. This \$22 million emergency grant is designed to fund 4,000 jobs for workers to help Louisiana communities recover from Hurricane Gustav damage. The grant, awarded to the Louisiana Workforce Commission, will provide funding for temporary employment on projects for the cleanup, demolition, repair, renovation and reconstruction of destroyed structures and public lands within the affected communities.

[Joint Statement by DOS Senior Coordinator for Iraqi Refugee Issues Ambassador James Foley and DHS Senior Advisor for Iraqi Refugees Lori Scialabba](#)

The U.S. Departments of State (DOS) and Homeland Security (DHS) are pleased to announce that they have successfully achieved the goal of admitting more than 12,000 Iraqi refugees to the United States through the U.S. Refugee Admissions Program during fiscal year (FY) 2008.

[CGFNS New India Pilot Project](#)

CGFNS International and AHED Global Healthcare, Inc., a global continuing education provider, recently announced the rollout of a pilot project in India for the CGFNS Assessment of General Knowledge (CGFNS-AGNK) Examination. The pilot rollout in India focuses on enhancing the employability of nurses within India and in other non-US countries. The test does NOT substitute for the State Nursing Council Examination required for licensure in India. The test will be used by schools of nursing and healthcare systems in India as a screening mechanism for measuring fundamental nursing knowledge and predicting work success for pre or post-licensed nurses.

[Read More News](#)

10 Tips to Succeed in the USCIS Marriage Interview

Many people become extremely overwrought when it comes to facing an interview with the US Citizenship and Immigration Services (USCIS) for their marriage-based green card, so was the case with Jennie and Robbie. The “marriage interview,” which both of the partners are required to attend as part of the green card application, should not be presumed as a simple process; it has the possibility of being a very grueling and painful event. You can take the stress and anxiety out of the situation through thorough preparation. It is for this reason that this article has been designed to make your voyage of obtaining a marriage based green card either for yourself or for your spouse, an easy and pleasant experience. The 10 simple yet amazing tips revealed in this article helps you to be successful at your marriage based immigrant visa interview.

[Read Full Article](#) | [Read More Articles](#)

IMMIGRATION ARTICLE XML

The K-3 Visa: What is it and who qualifies for it?

The USCIS and DOS estimates that each year 450,000 US citizens marry foreign nationals out of which a major percentage of marriages have the sole intention of migrating to the US. It is for this reason that the US government agencies scrutinize each international visa application. The K-3 Visa, sometimes called the Marriage Visa or Spousal Visa, was adopted by the US Congress and went into effect in August 2001. It was basically designed to sidestep the long delays in USCIS processing for Immediate Relative petitions for bringing a foreign national spouse into the US. At the time it was adopted it was taking two years or more to process an I-130 petition for the spouse of a US citizen. The new K-3 visa regulations were designed with a view to shorten the processing time for bringing a K-3 spouse to the US from years to months, a goal that for the most part has been achieved.

[Read Full Article](#) | [Read More Articles](#)

PROCESSING TIMES XML

▶ [Visa Bulletin](#)

▶ [USCIS Processing Times](#)

▶ [Local USCIS Offices](#)

DISCUSSION CORNER

[Section 31 of Form DS-156: Have you ever been refused a H1-B Visa for US?](#)

By glorious

[L1 to H1 transfer - without working for actual H1b Sponsor Company?](#)

By Kirand

[Need Info About F4-brothers And Sisters Of U.S. Citizens?](#)

By Aclectic

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QUESTIONS AND ANSWERS

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](#)

1. **On my previous entry into the U.S., I was given six months on my I-94 card. I remained in the country for approximately five months. Two months later, I am back in the U.S. and I am authorized to stay here for another six months. If I decide to use the entire six months, can I encounter problems later?**

A person who is granted a six-month stay on a visitor visa, and decides to take advantage of most or all of this time, could be exposing him/herself to higher levels of scrutiny the next time s/he travels to the U.S., and/or at the time of their next visa renewal. If a person takes advantage of the long periods of stay granted every time s/he enters the U.S., exhibiting a pattern of travel that raises questions about his/her intent as a visitor, risks being denied entry at some point. S/he may also encounter difficulties when attempting to renew a visitor visa at a consulate.

2. **Both me and my husband plan to return to our home country when we finish our university degree programs. If our U.S.-born child lives abroad until adulthood, will he still hold U.S. citizenship?**

A child born in the U.S. is a U.S. citizen and remains a U.S. citizen, even if s/he obtains a foreign passport. If the foreign government (the government of the parents) also considers him or her to be a citizen of that country, then it may be necessary for her/him to choose nationality upon reaching the age of 18. Only an affirmative act, such as renouncing the U.S. citizenship, would cause the child's status as a U.S. citizen to end. Such an affirmative act of renouncement would be if s/he, upon becoming an adult, went to the U.S. Embassy and declared a desire to relinquish U.S. citizenship. When that U.S. citizen child turns 21, s/he will be eligible to apply for the parents' green cards.

3. **I have already been to the US in [H-1B](#) visa status but recently I changed my visa status from H-1B to [F-1](#). I am now ready to work in H-1B status again. Do I get six more years in H1B status?**

No. The six-year clock in H1B status is not reset unless you leave the United States and are physically outside the U.S. for at least one year. As a result, the time previously spent in H1B status will be counted against the six-year H1B limit. However, individuals who previously held H1B status in the last six years, and subsequently left the U.S. for at least a year, generally have the option of either using the time remaining in H1B status without being subject to the cap or applying for another six years of H1B employment subject to the cap.

[More Q&A](#)

SUCCESS STORIES

"The US [[B-1](#)] Visa has always been a tough ride, and being denied a few times it makes it even worse. But thanks to Visa pro and their meticulous processing I was granted a Visa.

I would like to thank you and all the people involved in making this a success. I would like to recommend Visapro to all those who seek peace of mind and hassle free Visa processing."

Thanks,

Manas Bhat, Director Operations
First Houston Mortgage India

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