

IMMIGRATION EDUCATION FOR EVERYONE

What: IMMIGRATION TIPS AND ADVICE

WHAT: WHAT TO DO AFTER AN APPROVAL.

One might think that once the approval of a non-immigrant employment based status is granted in the U.S. by the USCIS, no further preparation would be necessary on the part of the attorney. That might be the case if an individual were in the U.S. at the time of status approval and did not plan to travel outside of the U.S. throughout the pendency of this status, but this is rarely the case with international executives and investors who are often required to travel as a condition of their employment. If future travel is anticipated, the next step would be to secure a visa appointment abroad in order to have the conforming visa stamped into the passport, to allow future travel inside and outside the U.S. This is done by contacting the U.S. embassy or consulate, paying the required visa fees, and setting up an appointment for a non-immigrant visa on line, using Form D/S 156 and some other Department of State forms, depending on the type of visa requested. The original approval notice of the non-immigrant status approval (Form I-797) is required in most cases to gain entry to the Embassy and to obtain the visa. Most embassies supply detailed instructions on local procedures on their websites. A complete packet should be compared including a copy of all applications and supporting documentation submitted to USCIS, to provide the consul with the opportunity to see exactly what was presented. All documents should be updated and brought current prior to the interview at the consulate as well, bank letters and employment letters. Finally, it is essential that the visa applicant be very familiar with the contents of the application and all the supporting documents, in the likely event that he or she is questioned by the consul.