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Important Sources for Visa Processing

STATE DEPARTMENT WEB SITES:

- **Main State Department Website** <http://www.state.gov/>
- **Visa Bulletin** http://travel.state.gov/visa/frvi/bulletin/bulletin_1360.html Current and past monthly lists of immigrant visa categories subject to numerical limitations and the explanation of each category.
- **Foreign Affairs Manual (FAM)** <http://www.state.gov/m/a/dir/regs/index.htm> instruction manual for Foreign Service Officers. Visas are in Chapter 9 of the FAM.
- **Reciprocity Tables** http://travel.state.gov/visa/frvi/reciprocity/reciprocity_3272.html Lengths of visa issuance including numbers of entries allowed and additional fees charged to certain nationalities for the issuance of nonimmigrant visas. Important to check for clients going to Canada or Mexico as some visa categories for certain nationalities can only be issued for a single entry. (Ex., PRC H-4 issued for a single entry while the H-1B Principal is issued for two entries. Most H-1B visas are issued for the length of the Approval Notice while PRC H-1Bs are issued for only 3 months validity.)
- **Visa Application Forms** http://travel.state.gov/visa/frvi/forms/forms_1342.html The new DS-160 Nonimmigrant Visa Application is replacing the DS-156 and DS-157 Nonimmigrant Visa Application Forms post by post by the end of 2010. Check the DS-160 form to see which posts require the new form.
- **Visa Wait Times** http://travel.state.gov/visa/temp/wait/wait_4638.html The average time it takes to procure a nonimmigrant visa appointment at each post.
- **E Treaty Countries** http://travel.state.gov/visa/frvi/reciprocity/reciprocity_3726.html Remember that a specific country must have a trade treaty with the U.S. specifying the availability of E-1 and/or E-2 visas to nationals of those countries. Some countries are allowed only E-1 or E-2 visas, but not both.
- **J-1 Skills List** http://travel.state.gov/visa/temp/types/types_4514.html
- **LegalNet (Attorney Inquiries to the Visa Office)** legalnet@state.gov . Form: <http://www.aila.org/content/fileviewer.aspx?docid=27492&linkid=187909> Only for active cases, not for prospective applications. Dos and don'ts: <http://www.aila.org/content/default.aspx?docid=27492>
- **NVC Inquiries** NVCATTORNEY@state.gov Instructions at <http://www.aila.org/Content/default.aspx?docid=22134>

- **New visa fees, effective June 4, 2010**
http://travel.state.gov/visa/temp/types/types_1263.html

VISA INTERVIEW APPOINTMENTS for U.S. Consulates in Mexico and Canada. (For all other Foreign Service posts in other countries, check the post's website at <http://www.usembassy.gov/> and click on "Visas" or "Visiting the U.S." on the top bar of the post's website.)

NOTE: All petition-based visas must have the information from the Approval Notice (Form I-797) available to provide when making the appointment. The State Department visa issuing posts now use a petition verification system called the Petition Information Management Service ("PIMS") to verify the petition before the visa interview. This procedure applies to every U.S. visa issuing post worldwide. The applicant should still bring the original approval notice to the interview.

- **Canadian Citizens, Residents and Third Country Nationals ("TCN") residing in Canada and the U.S.:** (Note: Canadian citizens are not required to possess a U.S. nonimmigrant visa in their passports to enter the U.S., EXCEPT E visas. E1/E2 visas are only processed in Toronto for those Canadian citizens and residents [only] residing in eastern Canada, and in Vancouver for those residing in western Canada.)
www.nvars.com CDN\$8.40 flat fee online, or (900) 451-2778 from within Canada - you will be charged CA\$1.89 per minute; or, (900) 443-3131 from within the U.S. - you will be charged US\$1.89 per minute. The online system is easy to use and allows you to change or cancel the appointment online. Attorneys can use their own email address to procure multiple appointments. However, visa interview appointments for "stateside TCNs" are becoming increasingly difficult to procure.
- After arriving in Canada, the applicant must purchase the US\$131 Machine Readable Visa Fee ("MRV"--basic visa application fee) at any Scotia Bank. Bring three copies of the fee slip to the bank along with US\$131. Very simple. The triplicate payment form can be found at http://www.consular.canada.usembassy.gov/visa_fees_canada.asp
- **Mexican Citizen, Resident and Third Country Nationals in both Mexico and the U.S.:** (Note: The online appointment service in Mexico is not quite as user friendly as the service used in Canada. We find it better to use the phone service with the flat fee charge feature. The online feature must have a separate email address for each applicant, and is not as easy as using the operators, who are very helpful.) <http://www.usvisa-mexico.com>, or by phone either by paying on your phone bill=**Within Mexico:** 01-900-849-4949. This service costs \$12 pesos per minute. **Within the U.S.:** 1-900-476-1212 US \$1.25 per minute; or, by paying with a credit card for a flat fee of US\$7.00 payable by Visa or MasterCard (preferred)=**Within Mexico:** 01-477-788-7070. **Within the U.S.:** 1-800-919-1754. Have all of the applicant's passport ID page information, I-94 information, and previous NIV info available when making the appointment.
- Visa Application fee slips (MRV) must be paid in advance, in Mexican pesos only, at any Banamex bank branch. (No form necessary, but the passport must be provided to the teller.) Since the fees are paid in pesos and the bank charges a "currency conversion fee," which changes according to the exchange rate, we suggest you bring more than the equivalent in Mexican pesos to avoid any surprises. Mexican ATMs will allow you to

withdraw pesos with a U.S. ATM card. But, to be safe, you could have the client exchange dollars for pesos in the U.S. before traveling to Mexico in case the ATM card doesn't work. (Don't do this at the airport where the exchange booths give poor exchange rates AND charge an exorbitant transaction fee.)

MEXICAN & CANADIAN VISAS for Applicants Traveling to Canada or Mexico to Apply at a U.S. Embassy/Consulate. Some nationalities are required to possess Mexican or Canadian visas to enter Canada and Mexico to apply for a U.S. visa. Both countries' Consulates usually process the visas the same day as application. Mexico has consulates convenient to most U.S. cities, while Canada has only five Consulates in the U.S.

- **Canada:** <http://www.cic.gc.ca/english/visit/index.asp> Check the in the appropriate Consulate's website for hours and days at each consulate for which the receive visa applications. Canadian Consulates are located in United States in Buffalo, NY, Detroit, Los Angeles, New York City, Seattle and Washington, DC. The visitors' visa in Canada is called a "Temporary Resident Visa." The application fee for the visa (single and multiple entry) is paid in a bank (near each consulate) designated by each consulate. Bring the fee slip to the interview. Note that visas are issued by Immigration Canada, not the Canadian "State Department." The main focus of the interview will be the likelihood that the applicant will be issued a visa and return to the U.S....the Canadian equivalent to 214(b). Nationalities requiring Canadian Visas to enter Canada may be found at <http://www.cic.gc.ca/english/visit/visas.asp> A third person in the city in which the Canadian Consulate is located may apply for the applicant using the proper Canadian form available on the Canadian website. ("Use of a Representative" form.) <http://www.cic.gc.ca/english/information/applications/visa.asp> The third person cannot be charging a fee for applying for the applicant, as noted on the Canadian form.
- **Mexico:** <http://www.mexonline.com/consulate.htm> . Forms, photos and fee slips can be procured/purchased inside most Mexican consulates. Refer to each consulate's website or call for application hours and procedures at each post. If your client is a citizen of Andorra, Argentina, Australia, Austria, Belgium, Canada, Chile, Costa Rica, the Czech Republic, Denmark, Finland, France, Germany, Great Britain, Greece, Hungary, Ireland, Island, Israel, Italy, Japan, Liechtenstein, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Puerto Rico, San Marino, Singapore, Slovenia, Spain, South Korea, Sweden, Switzerland, Uruguay or Venezuela, s/he doesn't need a visa to enter Mexico, although s/he must present a valid passport and fill out an immigration form for tourists and business trips, which can be obtained in travel agencies, airlines or at the point where you enter Mexico. **NOTE:** Mexico recently instituted a policy of allowing persons who are from countries normally requiring a Mexican visa to enter Mexico without a Mexican visa if that person is in possession of a valid (unrevoked) U.S. nonimmigrant visa. However, there still may be some security glitches in the program for U.S. NIV holders.