

AMERICAN CONSULATE GENERAL
MUMBAI, INDA
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INSTRUCTIONS FOR IMMIGRANT VISA APPLICANTS
PACKET 3

Your immigrant visa petition has been approved. While no assurance can be given regarding the date of your visa interview appointment, you should now prepare for that appointment by taking the following steps:

- PASSPORT:** Each applicant must have a valid passport. The passport must be valid for travel to the United States and must have at least eight months validity beyond the issuance date of the visa. The passport must reflect the correct name and date of birth of the applicant. The visa is issued in the name given in the applicant's passport. A female applicant does not compulsorily have to change her name to her married name. Those applicants whose passports are issued in their maiden names will have their visas issued in their maiden names. Applicants should bring all current and former/expired passports with them to the American Consulate at the time of their interview.

- PHOTOS:** **Please reference post specific guidelines available at http://travel.state.gov/visa/immigrants/info/info_3742.html**

- BIOGRAPHIC DATA FORM:** Completely filled out Biographic data forms (DS 230 Part I). When completing the form please include all names used by each applicant, including any names used in the past. In particular, married women must be sure to include their full name as used before marriage, after marriage, and any other aliases. Please use the exact spelling and name order indicated in the applicant's passport.

- BIRTH CERTIFICATE:** **Original and photocopy.** Each applicant must submit an original and a clear photocopy of his/her birth certificate. The certificate should include the applicant's name, date and place of birth, the names of both parents, and the seal of the issuing office, i.e., the municipal authorities. If your name is not mentioned in the birth certificate and if any details are missing in the birth certificate or if there is a discrepancy regarding your date of birth or name, submit the certificate along with secondary evidence.

Secondary evidence can be a baptismal certificate, an adoption decree, a school record, a notarized affidavit from a close relative, a neighbor or friend who was present at the time of your birth on the appropriate stamp paper, which must be sworn before a First Class Magistrate. The person making this affidavit must state how he/she knows your family and how he/she knows the facts of your birth. **Secondary evidence must have your name, date and place of birth; names of both parents; and the seal of the issuing office.** If your birth was not recorded, please submit a "no record of birth registration" letter from the relevant municipality along with secondary evidence and if your birth record has been destroyed or the municipality authorities will not issue one, submit a letter from the municipality stating so along with secondary evidence. (See preceding paragraph for definition of "secondary evidence.")

Note: If any of these documents were issued in a regional language, a notarized English translation is required in addition to the original.

MARRIAGE CERTIFICATE: Any applicant who has ever been married must provide an **original and a clear photocopy** of the marriage certificate(s) for all marriages. Persons who married before 1955 must attempt to register their marriage. Failing this, they must submit affidavits on appropriate stamp paper sworn before a First Class Magistrate indicating the names of the bride and groom, the date and place of the marriage ceremony. Persons married in 1955 and later must submit a marriage registration certificate. Certificates issued by the appropriate authorities are acceptable if they are legally valid in India. **If any of these documents were issued in a local language, a notarized English translation is required in addition to the original.** If you and your spouse are applying for visas, you should submit an original and two clear photocopies of each certificate.

TERMINATION OF PREVIOUS MARRIAGE: All applicants who have divorced or whose spouses have died must provide an **original and a clear photocopy** of proof of the legal termination of all previous marriages (death certificate of spouse, divorce decree). Divorce between Hindus and between Christians must be documented by a court order. A certificate from the Kazi or the head of the Jamat must document divorce between Muslims. If any of these documents were issued in a local language, a notarized English translation is required in addition to the original.

PROOF OF RELATIONSHIP: We strongly suggest that all applicants bring extensive documentary evidence of the relationship between the petitioner and the primary beneficiary and between the primary beneficiary and any derivative beneficiaries. **Failure to do so could greatly delay your application while your application is investigated.** Some examples of such evidence are family and other photographs (old and recent) showing the parties together, letters, cards, correspondence, and telephone records.

POLICE REPORT: Each applicant aged 16 years and older must submit a police certificate that includes information regarding the applicant including all arrests, the reason for the arrest(s) and the disposition of each case(s). **(A)** Indian citizens residing in India for six months or more since turning 16 years of age must present Indian police clearance certificates from both their district police station and the local area passport office. Applicants whose passports were issued within six months of the visa interview may present just the passport office certificate. These certificates are valid for one year from the date of issuance. **(B)** If an Indian citizen who has lived in India for at least one year after the age of 16 currently resides outside India, he/she must obtain a certificate issued by the Indian Embassy or Consulate where he/she lives. These certificates are valid for only one year from the date of issuance.

(C) Foreign police certificates: Applicants who have resided in any other country for one year or more after the age of 16 may also be required to submit police certificates for these countries. Applicants may inquire of our Immigrant Visa Unit regarding police certificates for these countries, telephone number: 23637407, Email: mumbaiiv@state.gov . You may also check in the visa reciprocity table on the website www.travel.state.gov . U.S. police certificates are not required for applicants who have lived in the U.S.A. Non-Indian immigrant visa applicants residing in India should obtain police certificates from the district police station serving their area of residence.

DEPORTATION: Any applicant who has been deported from the United States must submit all documents relating to the matter.

PRISON RECORDS: Applicants who have been convicted of a crime must submit court records, prison records, records regarding the disposition of the case and any additional information regarding the crime, regardless of the fact that he/she may have subsequently benefited from an amnesty, pardon or other act of clemency.

MILITARY RECORDS: A certified copy of any military record is required. The record should contain a complete record of the applicant's service and conduct while in service. It must show any conviction of crime before a military tribunal. A discharge certificate is required upon discharge, retirement, or resignation from military service.

AFFIDAVIT OF SUPPORT:

Applicants should check with their sponsor to see if form I-864 has already been submitted to the National Visa Center (NVC). If so, it is not necessary to submit another I-864.

A) Immediate relative and family preference category

Each immigrant visa applicant needs to satisfy the consular officer that he/she will not become a public charge. In all immediate relative, family preference, and employment-based applications (in which a close family member owns 5% or more of the petitioning business), the petitioner must submit a completed Affidavit of Support (Form I-864), no matter what his/her financial circumstances are, to show that the sponsored applicant(s) will not become a public charge.

i) If form I-864 was not submitted to NVC the applicant **must submit the following from the petitioner (sponsor):**

- a) Form I-864**
- b) Evidence that the household member is a U.S. citizen /U.S. permanent resident if a form I-864A is submitted.**
- c) Federal tax return (form 1040) with all W2s and supporting schedules for the **most recent taxable year**.**
- d) If the petitioner did not file a tax return, then the petitioner must provide a written explanation of why he/she had no legal duty to file the return.**
- e) If the petitioner filed a late or amended tax return, he/she should submit evidence of it.**
- f) If the petitioner does not have copies of his/her tax returns, an Internal Revenue Service (IRS) summary should be submitted.**

ii) If the petitioner's income or assets do not exceed 125% of the federal poverty guidelines, then an I-864 of an additional sponsor willing to assume financial responsibility for the sponsored immigrant(s) must be submitted. This additional form I-864 must include all the supporting documentation indicated in section (i) above, as well as evidence that the Joint Sponsor is an American citizen or Legal Permanent Resident.

iii) If the additional sponsor lives in the same household as the petitioner, he/she is considered a household member, and cannot fill out a separate I-864. The household member must execute an I-864A, as described below.

iv) If a sponsor wishes to qualify using the income or assets of a spouse or resident of his/her home, in addition to the above documents he/she should also submit form I-864A for each additional contributor. The additional contributor should sign the form I-864A as the household member. Each household member should submit a form I-864A along with all the required documents outlined in paragraph (ii). **Please note sponsor must include household member income in part 4 of form I-864.**

v) (a) Applicants are responsible for providing sufficient copies of the form I-864. Beneficiaries of immediate relative (IR) petitions must provide one original signed I-864 and one complete set of original supporting documents. (b) Beneficiaries of family-preference (F) petitions must provide one original signed form I-864/I-864A for the principal applicant and one copy of I-864/I-864A for each family member containing an original signature and notarization, and one complete set of original supporting documents for the principal applicant. (c) If a dependent(s) will follow the principal alien to the United States at a later date each such dependent must submit an original signed I-864/ I-864A and a complete set of original supporting documents.

B) Employment preference category

In employment preference visa categories a notarized offer of employment from the petitioner is required. If a relative has filed the visa petition as described in paragraph A) above, a form I-864 and all accompanying documents are required. For follow-to-join applicants in the employment preference visa categories, the principal applicant must submit a notarized affidavit of support (form I-134), a job letter or pay stubs, and forms 1040 and W2 for the latest taxable year.

C) Returning resident (SB-1) and diversity visa (DV) applicants:

A sponsor who is a U.S. citizen or LPR must provide a notarized affidavit of support (form I-134), a job letter or pay stubs, forms 1040 and W2 for the most recent taxable year and proof of U.S. citizenship or permanent resident status.

FEES: Currently there is an immigrant visa fee of \$355 for each applicant and \$45 visa surcharge fee for a total of \$400. At present, applicant has to pay the total Immigrant Visa Fee of \$400 or Rs. 17,600/- (only single draft required) for each applicant. Using the exchange rate of \$1.00 = Rs. 44/-. Exchange rate subject to change without notice.

Note: The above fees are separate from the fee charged when an immigrant visa petition, form I-130 or form I-140, is filed.

IMPORTANT

Applicants **MUST SUBMIT** all required documents on the day of their interview.

