



## Step by Step Instructions



**Step 1.**  
Dependent visa application process initiation



**Step 2.**  
Complete Form DS-160 online



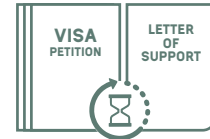
**Step 3.**  
Applicant books appointment and submit DS-160 visa application



**Step 4.**  
Pay machine readable visa fee  
  
(Note: Citizens of some countries must also pay a "reciprocity fee")



**Step 5.**  
Review appointment procedures and document checklist



**Step 6.**  
Review information and company letter of support from visa application



**Step 7.**  
Submit passport and other required documents at appointment

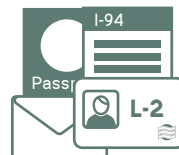


**Step 8.**  
Attend interview with consular official (Note: Some applicants may be eligible for a waiver of the interview)



**Step 9.**  
Receive passport with issued visa within 2-3 days

(Note: Some applicants may be referred for additional background checks "Administrative Processing")



**Step 10.**  
Send GLC copy of I-94 record, visa and entry stamp



## 1) What is a Dependent visa?

The following guidelines provide general information on the visa application process for dependent family members (spouses and children under 21 years of age) who are applying for their visas separately from the principal alien, to accompany or join the principal alien who is employed in the United States.<sup>1</sup> We recommend reading through the guidelines in their entirety before beginning the application process.

To be eligible for the dependent visa application, the principal alien must have already been granted an employment visa (such as E-1, E-2, E-3, H-1B, H-1B1, H-3, L-1, O-1, or TN) by a U.S. consulate or embassy, or be physically present in the United States in work-authorized status granted by the United States Citizenship and Immigration Services ("USCIS") at the time of the dependents' visa application.

Please note that the different embassies and consulates around the world have different visa application procedures, and these procedures change frequently. We therefore recommend that you consult the specific U.S. consulate or embassy's website for the most up-to-date information on its procedures before booking an appointment. A directory of all U.S. embassies and consulates may be found online at: <https://www.usembassy.gov/>. Once you find the appropriate consulate's or embassy's homepage, you should navigate to the "Nonimmigrant Visa" page which should provide the necessary information.

Please also note that if you will be applying for your visa in a country other than your country of nationality or residence ("third country national" or "TCN" visa applications), you may be required to apply for a visa to enter that country. U.S. consular posts also have discretion not to adjudicate TCN applications, or may impose special requirements or longer wait times on such applications. Please check with our office for policies at specific embassies or consular posts.

### 1.1) Completing the Form DS-160 Visa Application



Each visa applicant (including each accompanying family member) must complete a Form DS-160 before booking a visa appointment. Form DS-160 is completed online at the U.S. Department of State website at <https://ceac.state.gov/genniv/>. You will upload a digital photo as part of the electronic-filing ("efiling") process. Photo specifications are standard, face-forward passport photos.<sup>2</sup> ) You will need to make at least one attempt to upload a photo to generate the barcode required for appointment booking. Note that characters such as ñ, é, ü, ç are not recognized by the system.

Answers to some of the questions are noted below:

#### **Are you the principal applicant?**

The answer is "**No.**"

#### **U.S Address**

If you do not already have a residence in the United States, please indicate "in care of" the employer name and address where the principal alien is employed.

<sup>1</sup> This memo is intended for clients of Goeschl Law Corporation and is for informational purposes only. While we hope that this information is helpful as general background information, we cannot warrant its applicability, accuracy, or completeness, given the many intricacies of specific factual circumstances and scenarios and the frequent changes to immigration policy and procedures. Please also note that this memo does not cover procedures for F-2 or J-2 classifications.



### **Purpose of Trip to the United States**

You will first select the visa category that covers your spouse (such as “Intra-company Transferee (L)” or “Temporary Worker (H)”). There will be additional pull-down menu to specify whether you are applying as the principal alien or a dependent spouse or child.

### **Intended Length of Stay in the United States**

Your answer should correspond to the expiration date on the Form I-797 Approval Notice issued to the principal alien.

### **Petitioner Name and Petitioner Number**

The petitioner name is the name of the principal alien's employer. The petitioner number is the 10-digit number found on the Form I-797 approval notice, which is preceded by either “WAC” or “EAC”.

**Important Note:** Any previous arrests and immigration violations must be disclosed on the DS-160 Form. Please contact Goeschl Law Corporation confidentially for guidance on how to answer these questions.

For more information on completing the Form DS-160 Visa Application, please contact our office or visit: <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/forms/ds-160-online-nonimmigrant-visa-application.html>.

Upon e-filing, a Barcode Number will be generated. Please save and print your DS-160 confirmation page (you will bring this to your visa appointment). We also advise that you save a copy of the Form DS-160 application in its entirety for your records.



### **1.4) Booking a Visa Appointment**

There are nearly 300 U.S. embassies and consular posts around the world and most of them have different visa appointment booking procedures. You will therefore need to refer to the specific post's website for its latest instructions. Please also feel free to contact our office if you have questions. In most cases, you will have to call an “appointment call center” and pay an appointment booking fee using a credit card to book the appointment.

**Important Note:** For some consulates and embassies, appointments must be scheduled several weeks prior to your desired interview date. You should therefore book an appointment as far in advance as possible.



### **1.5) Payment of Visa Fees**

As with appointment booking procedures, U.S. embassies and consulates have different procedures for the MRV (Machine Readable Visa) fee. Please consult the specific post's website for the latest payment procedures. In most cases, the appointment call center will advise you of these procedures.

**Important Note:** Citizens of some countries will be required to pay an additional “reciprocity fee” country where you will be applying for your visa at the time of the interview.

<sup>2</sup> See the Department of State's website for complete specifications at: <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/photos.html>



## 1.6) Required Documentation

You will need to submit the following documents to the U.S. embassy or consulate at the same time of your appointment:

**Form DS-160.** Once the DS-160 has been e-filed, please print a copy of the Confirmation Page with the bar-code and the completed application, and bring this with you to the U.S. embassy or consulate at the time of your appointment.

**Important Note:** The U.S. embassy or consulate will not be able to process your visa if you do not have the Form DS-160 Confirmation page in your possession.

**Photograph.** As noted above, you will need to upload a digital photograph as part of the Form DS-160 visa application. You are also required to bring an identical hardcopy photograph at the time of your interview.

**Copy of the Form I-797 Approval Notice** issued to the principal alien, if any. This document was provided when the petition was approved.

**Appointment Notice.** For most posts, this will be generated and emailed to you once you have booked the appointment date. Note that some posts do not generate a notice, and you will only be given a confirmation number over the phone. You should review this document carefully, as it may contain important post-specific information not covered in this memo.

**Receipt for Visa Application (MRV) Fee.** Each applicant is required to pay the non-refundable visa application fee prior to the appointment date. Please refer to the embassy or consulate's website on specific instructions to pay this fee.

**Valid Passport.** Each applicant must bring a passport containing at least 2 blank pages, and any expired passports with previous U.S. visa(s).

**Important Note:** The passport must have at least 6 months of validity.

**Employment Verification Letter.** You should bring a recently dated employment verification letter from the principal alien's employer confirming job title, salary, start date, and job location.

**Important Note:** The job title and job location should match the information on the petition that was filed on behalf of the principal alien.

**Recent Pay Statements.** If the principal alien is already working at the petitioning employer, you should bring recent pay statements to further confirm ongoing employment.

**Original or Certified Copy of Marriage and Children's Birth Certificates.** Although not strictly required by most consulates and embassies, we recommend that you bring your original certificates, in case the consular officer wishes to see them. You must also provide a certified translation in English, if applicable.

**Third Country National (TCN).** If you are applying as a TCN, you must bring evidence of your visa status in the country where you will be applying for your visa at the time of the interview.

**Reciprocity Fee.** Citizens of some countries are required to pay the Reciprocity fee. Please visit <https://travel.state.gov/content/travel/en/us-visas/Visa-Reciprocity-and-Civil-Documents-by-Country.html> to determine if you are required to pay this fee.

**Additional Documentation.** Some embassies and consulates also require additional documentation for H-1B1 visa applicants. Please consult the post's website or contact our office.



### 3) The Visa Interview

Please review the information provided on your visa appointment notice, which usually provides specific information on the appointment procedures for the consulate or embassy where you will be applying. You and your family members should arrive 30 minutes prior to the appointment, and bring all of the required documentation listed above, and in the appointment notice. Note that at some posts, children under the age of 14 are not required to go in person to the interview.

Visa interviews usually only last a few minutes, but you may be required to wait several hours before you meet with the consular official conducting the interview. You will likely be asked to confirm that the principal alien is currently employed in the United States. You may be asked about your academic background, work experience, and whether you intend to work or attend school in the United States. Please note that dependents may attend school. Most dependents are not allowed to engage in employment in the United States and, those who are eligible, must first obtain work authorization from the United States Citizenship and Immigration Service<sup>3</sup>. Depending on the visa you are applying for, the consular officer may also ask you to show ties to your home country, or to confirm that you will return to your home country after the principal alien's employment in the U.S. ends (this would not apply if the principal alien is employed in H-1B or L-1 status).

At the conclusion of the interview, the consular officer will either notify you that the visa application has been approved, denied, or that additional "administrative processing" is necessary (see below). If approved, you should receive your passport back with the issued visa within a few days. If "administrative processing" is required, or in the unlikely event that the visa is denied, please notify the appropriate contact person at your company, or an attorney at our office right away.



### 4) Application Processing Time and "Administrative Processing"

In most cases your passport with the visa will be returned to you within 2-5 days of your appointment. In some cases, however, applications may take significantly longer depending on the applicant's background. As noted above, some applications are referred for "administrative processing" which can take several weeks or even months. Such processing is more likely for persons who are nationals of certain countries, have a certain kind of professional or political background, and/or have been previously arrested. Please notify Goeschl Law Corporation if you or one of your family members have been arrested or have had previous immigration violations as soon as possible prior to making your visa appointment. We will advise you if we believe that administrative process delays are likely in your case. However, the decision to refer an application

<sup>3</sup>Dependents in E-1, E-2, E-3, and L-2 visa status are eligible to apply for work authorization upon arrival in the United States. In limited situations, dependents in H-4 may also apply for work authorization.