



**RE: Your immigration status in the United States and Visa Application Instructions**

This memorandum contains important reminders now that your immigration petition has been approved, as well as information about the visa application process. We encourage you to check our immigration alerts on our [website](#) for any recent immigration changes that may impact you.

**IMPORTANT REMINDERS**

☐ **Complete Form I-9 with your Employer**

Now that your petition has been approved, you and your employer should complete Form I-9 using the original approval notice as proof of employment authorization. USCIS' I-9 guidance can be found [here](#).

☐ **Maintain a Valid Passport**

You must always maintain a valid passport while in the United States. Failure to do so could affect your legal status in the United States.

☐ **Carry Evidence of your Nonimmigrant Status**

When you are in the United States, we recommend carrying copies of your valid passport biographic data page, visa stamp, and most recent and valid I-94 admission record on your person as proof of having complied with the United States' "alien registration" requirement.

Each time you travel internationally, you will need to bring your original approval notice. When re-entering the U.S., Customs and Border Protection will want to see your valid visa stamp and your original approval notice. You can also carry recent pay statements as proof of your continued employment in the U.S., to present if asked.

☐ **Check I-94 admission record after each entry to the U.S.**

After your first admission into the U.S. following your visa issuance, email our office copies of your visa stamp and [I-94 record](#) so we can save them in our records. After each admission into the United States, you should check your [I-94 record](#) to ensure it has the correct visa category and correct expiration date. Notify our office if there is a mistake on your I-94.

☐ **Notify USCIS and Our Office if your Address Changes**

Under U.S. immigration law, all non-citizens must report a change of address to USCIS within 10 days of moving residences by submitting a [Form AR-11](#). Please also update our office with your new address so we can update our records accordingly.

☐ **Notify your Employer and Our Office of any Job Changes**

A change to your employing entity, work hours, work location, job title, job duties, or salary may require an amended petition to be filed with USCIS. As soon as you become aware of any change to your job, please notify your employer and our office so we can determine what action may need to be taken prior to the effective date of the change.

## **VISA APPLICATION INSTRUCTIONS**

If USCIS has approved your immigration petition as a change of status or extension of status (with an I-94 record at the bottom) and you are currently in the United States, you do not need a valid visa stamp in your passport to remain in the United States and work for your current employer.

If you are not in the United States and/or without a valid, unexpired visa stamp in the correct visa category, you must obtain a visa in order to enter (or re-enter) the United States. Note that most Canadian citizens are exempt from the visa stamp requirement, and need not apply for a visa stamp in their passports.

### **☐ Where to Apply for a Visa Stamp**

Visas are only issued at U.S. consulates outside the United States, and you must apply for a visa at a U.S. consulate in your country of citizenship or last residence abroad. U.S. consulates no longer accept visa applications from third country nationals, with almost no exceptions. This applies to any family members who also apply for a visa. Frequently asked questions and answers about the visa application process can be found [here](#).

### **☐ Social Media Vetting**

The U.S. Department of State (DOS) has expanded the vetting of visa applicants' social media accounts. Each visa applicant (including spouses and children) must set all social media accounts to "public" at least two weeks in advance of their scheduled visa appointment. Failure to do so may result in the U.S. consulate re-scheduling or cancelling your visa interview. If you have concerns or questions about the content in any of your social media accounts, please contact us for a consultation to discuss.

### **☐ How to Schedule your Visa Appointment**

Applying for a visa at a U.S. consulate can take anywhere from a couple of days to a few months depending upon the consulate and person applying for the visa. Estimated visa appointment wait times can be found [here](#). Current information concerning visa application procedures can be found on the specific U.S. consulate's website, which you can locate [here](#).

- 1) Complete nonimmigrant visa application, Form DS-160: All consulates require each person applying for a visa to complete [this form](#) online at the U.S. Department of State website before scheduling a visa appointment. **Please note that this form requires extensive information and can take approximately 1-3 hours to complete.** Frequently asked questions and answers regarding the DS-160 can be found [here](#). After completing the form online, print the confirmation page (not the entire application) and bring it with you to the U.S. consulate at the time of your interview.

Please contact us to discuss our reviewing a "draft of your DS-160 before you submit it, and our scheduling a video call to prepare you for the interview, once scheduled.

- 2) Pay visa application fee: Each visa applicant must also pay a U.S. visa application fee as specified by the local U.S. consulate before scheduling a visa appointment. The fee amount varies based on the type of visa category and can be found [here](#).
- 3) Select visa appointment date and time: Once the DS-160 is completed and the visa application fee has been paid, you will be able to select a visa appointment date and time on the consulate-specific website.

### **Documents Required in Support of your Visa Application**

The following documents are required each time you apply for a visa stamp:

- 1) Your USCIS approval notice, Form I-797: The original approval notice has been FedExed to you. Please bring the original approval notice to your visa appointment. You can also access a copy in our client portal.
- 2) An employment confirmation letter: We have emailed a template for this letter to you and your employer. Shortly before your appointment date, it should be completed, printed, signed, and dated on your employer's original corporate letterhead.
- 3) Copy of the visa petition filed with USCIS on your behalf: You do not need to present this document unless the consular official asks for it. Please access your client portal to find a copy.
- 4) Your passport: It must be valid for at least six (6) months beyond your intended date of entry into the U.S.
- 5) A full-face color passport-sized photograph of yourself: The photo should meet [these requirements](#).
- 6) DS-160 confirmation page and visa application fee receipt: Depending on your nationality (passport presented), you may need to pay an additional Reciprocity Fee. You may check via this [link](#). This site also provides information about the validity period of the visa stamp.
- 7) Dependent Family Members: If your spouse and/or children under 21 years of age are applying for visas as your dependents, they must present items #4-6, as well as proof of their relationship to you in the form of their original or certified copy of marriage certificate for spouse, birth certificate(s) for each child showing both parents' names.

### **Prudential Visa Revocation**

The DOS may revoke a visa stamp at any time upon receipt of derogatory information. This may include, but is not limited to, any contact with law enforcement, a citation, fine, arrest, criminal charge, or even a dismissal without a conviction. This is known as "prudential revocation." Prudential revocation of a nonimmigrant visa stamp becomes effective only upon departure from the United States. We encourage all individuals to regularly check the email they used when submitting prior DS-160s for any communications from the DOS and/or consulate, including spam and/or junk folders.

### **Questions**

If you have any questions about the issues discussed in this memo, please reach out to our office to schedule a consultation meeting.