



**CONSULATE GENERAL OF THE
UNITED STATES OF AMERICA**

Immigrant Visa Unit

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Instructions for Immigrant Visa Applicants

Overview

Introduction

The American Consulate in Rio de Janeiro has received information that you have been registered to apply for a visa to immigrate to the United States. While no assurance can be given regarding the date of your visa interview appointment, you should now prepare for that appointment. You must obtain the documents required for your application for an immigrant visa.

In this information

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Application for Immigrant Visa and Alien Registration

Form DS-230 Parts I and II

Background The DS-230 Parts I and II contain questions regarding specific biographical information required for the immigrant visa. A copy of this form is included with this packet of information.

Who completes the form Each family member that is eligible to travel to the United States with you under this visa classification is required to complete the DS-230 Part I and II.

Completing the form Please fill out the DS-230 Parts I and II completely. If a question does not apply to you then you must mark it with a N/A.

Questions If you have any questions on completing the DS-230 Parts I and II, please contact the Immigrant Visa Unit at the American Consulate General in Rio de Janeiro. The address for the United States Consulate is listed on the cover letter of this instruction packet. *Immigrant visas interviews in Brazil are conducted only at the Consulate in Rio de Janeiro.*

When complete Please send all of the completed DS-230 Parts I and II along with the completed DS-2001 form, copy of the page of your passport that has your personal information and one frontal picture, to the address listed on the cover letter of this information packet.

Note: Form 230 Part II must be signed before the Consul on the day of the interview. Do not sign this form.

This Unit will contact you with your immigrant visa interview date after receiving your DS-230 form.

Documents You Need to Obtain

Document requirements

Please obtain the *original documents* or *certified copies (along with one common copy)* from an appropriate authority for yourself and each family member who will accompany you to the United States. All documents listed in these instructions that pertain to your petition are required again, even if they were previously submitted to the DHS with your petition. ***Do NOT send them to this office. You need to bring them with you on the day of your interview.***

Birth certificates

Obtain the original, or certified copy, of the birth record of each family member (yourself, your spouse, and all unmarried children under the age of 21) ***Married, divorced or widowed applicants should bring their birth certificates in addition to their marriage certificates.*** If you or any of your children were adopted, you must also submit a certified copy of the final adoption decree.

The certificate must contain the:

Person's date of birth;

Person's place of birth;

Names of ***both*** parents, and

Annotation by the appropriate authority indicating that it is an extract from the official records

Unobtainable birth certificates

Your birth record may not be obtainable. Some reasons are listed below.

Your birth was never officially recorded.

Your birth records have been destroyed.

The appropriate government authority will not issue one.

Please obtain a certified statement from the appropriate government authority stating the reason your birth record is not available. With the certified statement you ***must*** obtain secondary evidence. For example:

A baptismal certificate that contains the date and place of birth and both parent's names providing the baptism took place shortly after birth

An adoption decree for an adopted child, or

An affidavit from a close relative, preferably the applicant's mother, stating the date and place of birth, both parent's names, and the mother's maiden name. The affidavit must be notarized.

Note: An affidavit must be executed before an official authorized to take oaths or affirmations. Information regarding the procedures for obtaining birth certificates is usually available from the embassy or consulate of the country concerned.

Marriage certificates

Married applicants must obtain an original marriage certificate (civil marriage), or a certified copy, bearing the appropriate seal or stamp of the issuing authority.

Termination of prior marriages

Applicants who have been previously married must obtain evidence of the termination of **EACH** prior marriage. Evidence must be in the form of original documents issued by a competent authority, or certified copies bearing the appropriate seal or stamp of the issuing authority.

Acceptable evidence is a:
FINAL Divorce Decree;
Death Certificate or
Annulment.

Military records

Persons who have served or been registered in the military forces of any country must obtain one copy of the military record or registration if available..

Note: Military records from certain countries are unavailable. More specific information is available from the Immigrant Visa Unit at the United States Consulate General in Rio de Janeiro.

Police certificates

Police certificates are required for each visa applicant aged 16 years or older. The police certificate(s) must be from the police authorities of each locality of the country of the applicant's nationality and current residence.

The table below shows how many police certificates are required based on where each applicant lives and has lived previously. Present and former residents of the United States should NOT obtain any police certificates covering their residence in the U.S.

Note: You may need police certificates from several different countries/localities. Be sure to obtain all of them prior to the interview.

IF the applicant...	AND...	THEN the applicant needs a police certificate from...
is living in their country of nationality at their current residence for more than 6 months	is 16 years old or older	the police authorities of that locality.
lived in a different part of their country of nationality for more than 6 months	was 16 years or older at that time	the police authorities of that locality.
* lived in a different country for more than 12 months or currently resides in another country for more than 6 months	was 16 years or older at that time	the police authorities of that locality.
was arrested for any reason, regardless of how long they lived there	was any age at that time	the police authorities of that locality.

* In this case, police certificates are required for countries where you lived at any time after 16 years, even if the period of residence was 40 or more years ago (for example).

Police certificates in Brazil

In Brazil, police certificates are issued only for applicants over the age of 18 (eighteen). Each applicant, 18 years old or more should present two Police Certificates: one from the State police - **“Secretaria de Segurança Pública”** **and another one from the Federal Police – “Polícia Federal”.**

“SECRETARIA DE SEGURANÇA PÚBLICA” - It is required that the applicant obtain a certificate from the “Polícia Técnico Científica”, “Instituto de Identificação” from each state in Brazil where the applicant has resided for 6 (six) months or longer for the last 5 (five) years. If you have resided in more than one state in Brazil, during this period, you will need one for each state. in Rio de Janeiro de Janeiro, please request the “Certidão de Vida Privada”.

“POLÍCIA FEDERAL” – It is required that the applicant obtain a certificate from the Federal Police (“Polícia Federal”). This certificate is valid for all Brazilian territory. You should go to the “Departamento de Polícia Federal, Delopis – Delegacia de Ordem Social e Política” with our request and fill out their application for the certificate.

Note: The certificates issued by “Cartório” or “Fórum” are NOT, repeat, NOT acceptable, in any circumstances.

The police certificate must:

Cover the entire period of the applicant's residence in that area, and

State what the appropriate police authorities records show concerning each applicant, including all arrests, the reason for the arrest(s), and the disposition of each case of which there is a record.

Note: Police certificates from certain countries are unavailable. Others must be requested in person and the U.S. Consulate must request others. More specific information is available from the Immigrant Visa Unit at the United States Consulate in Rio de Janeiro.

Passports

A passport must be valid for travel to the United States and must have at least 8 (eight) months' validity beyond the issuance date of the immigrant visa. Children also need to have their own passport.

A copy of the passport page that contains the biographic information, passport number and photo must be sent to the consulate along with forms DS 2001 and DS 230 parts I and II and frontal picture.

Note: All previous passports, even the ones already expired/cancelled, that have U.S. visas or entries to the United States should be brought on the day of the interview.

Deportation or Voluntarily Removal

If you had any previous problems with the Department of Homeland Security (DHS) - previously called Immigration and Naturalization Service (INS) - you must bring the official reports on the day of your interview.

Applicants who have previously been deported or removed at government expense from the United States within the last years must obtain Form I-212, Permission to Reapply after Deportation, from the U.S. Department of Homeland Security, or from a U.S. Embassy or Consulate, and follow the instructions included on that form. DHS must previously approve form I-212 before you can receive the immigrant visa, but this does not necessarily need to be done before the interview date.

Court and Prison Records

Persons who have been convicted or discharged of a crime must obtain a certified copy of each court record and any prison record, regardless of the fact that he or she may have subsequently benefited from an amnesty, pardon or other act of clemency, including processes in the U.S.

Court records should include:

Complete information regarding the circumstance surrounding the crime of which the applicant was convicted, and

The disposition of the case, including sentence or other penalty or fine imposed.

**Applicants
with previous
J1/J2 visas**

If you have been a student in the U.S. under a J-1 visa or a dependent under J-2 visa you may be subject to Section 212(e) of the Immigration and Nationality Act. That means that you must be required to return for a two-year period to your native country or country of residence. If you wish to return sooner than that to the United States to reside permanently, first, you have to request an authorization from the Brazilian Government and then you may request a waiver from the United States Government. These authorizations need to be granted prior to receiving an immigrant visa to the United States. More information on this subject is available on the Internet at <http://uscis.gov/graphics/howdoi/exchvisit.htm>

Translations

All documents neither in English nor in Portuguese must be accompanied by *certified English translations* done by a Sworn Public Translator.

The translation must include a statement signed by the translator that states that the:

- Translation is accurate, and
 - Translator is competent to translate.
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Photographs

**General
requirements**

Two photos are required of all applicants regardless of age. The photographs should have applicant's name lightly printed on the reverse side. No head covering or glasses should be worn except for religious purposes. Color Polaroid photos are acceptable. Scanned pictures are not accepted.

Photographs

Two (2) color photographs with white background on glossy paper are required. The pictures must not be retouched or mounted. The photographs must be a frontal picture, with both ears visible. Photos must be 5X5cm or 5X7cm, head centered; see attached sample.

**Additional
information**

The photographs must have been taken in the last 6 months; the photos cannot have frames; a full-face view is necessary. Applicant must be looking at the camera when the picture is taken, and not looking down or to one side. The face must cover 50% of the picture; face must measure 3 cm from chin to top of hair; you must present color pictures with white background. No other background is acceptable.

Evidence of Support

General requirements

You must submit evidence showing that you and members of your family who will accompany you are not likely to become public charges while in the U.S.

Immediate Relative Petitions I-864

You must present an affidavit of support and submit evidence showing that you and members of your family who will accompany you are not likely to become public charges while in the U.S. The affidavit that the petitioner needs to complete (for immediate relatives) is the **Form I-864**. The petitioner must attach a copy of the last year of U.S. Federal Income Tax (1040 form), including W-2s, proof of current employment, and proof of American citizenship or Legal Permanent Status. If the petitioner files jointly, W2s are necessary or an I-864a from the household member/spouse.

If the petitioner did not have to file a tax return: attach a written explanation and a copy of the instructions from the Internal Revenue Service publication that shows you were not obligated to file.

Note: For more information about American Income Tax you should check their web site: www.irs.gov . For certified transcripts of Tax Returns, please contact 1-800-829-1040 and/or file form 4506. For I-864 e-forms, please visit the USCIS web site: www.uscis.gov .

I-864EZ

A sponsor may use the **Form I-864EZ** in place of Form I-864 if the sponsor meets all of the following requirements:

- a) The sponsor is the visa petitioner (who filed the Form I-130 petition);
 - b) There is no need for a joint sponsor or a Form I-864A;
 - c) The affidavit of support is filed on behalf of only one intending immigrant;
 - d) The sponsor is seeking to qualify based on the sponsor's own income alone (not on the basis of assets);
 - e) All of the sponsor's income is shown on IRS Forms W-2; but,
 - f) If a joint sponsor is used, the petitioner has to use the I-864. I-864EZ cannot be used in such cases.
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I-864W

You, as the intending immigrant can submit the **Form I-864W**, instead of the Form I-864 if you meet any of the following requirements:

- a) You already have -- or can be credited with -- 40 quarters of coverage under the Social Security Act;
 - b) You are the child of a U.S. citizen and will acquire citizenship under Section 320 of the Act if the application for admission as an immigrant or for adjustment of status is approved;
 - c) You are a self-petitioning widow(er) of a U.S. citizen; or,
 - d) You are self-petitioning as the battered spouse or child of a U.S. citizen or permanent resident alien, but
 - f) If a joint sponsor is used, the petitioner has to use the I-864. I-864W cannot be used in such cases.
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Employment Based Petitions

Applicants of employment-based petitions should bring a recent job offer. The statement should be on the stationery of the employer's business and must contain:

- Title of the position available for you;
- Salary and
- Number of hours to be worked per week.

Note: You should also bring a copy of the two most recent filed federal income taxes of the company or organization that will employ you. The employer must prove to the consular officer that it is able to afford this job offer. *See sample letter attached.*

Children who are about to Reach 21 Years of Age

Important Information

If you have children who intend to immigrate with you to the United States, or to join you in the United States at a later date, please read this important information.

In most of the cases, in order to immigrate with you to the United States, or to follow you at a later date, your children **must be unmarried and under the age of 21 at the time they enter the United States.**

Who to notify

If any of your children will turn 21 within 90 days, please **notify** the Immigrant Visa Unit at the United States Consulate in Rio de Janeiro, **immediately.**

Failure to notify

Failure to notify the United States Consulate in Rio de Janeiro that you have a child who will turn 21 could result in that child being above the legal age at the time your visa is issued. In that event, you will be required to file a separate petition for your child after you immigrate, and your son or daughter will face a waiting period before he or she will be eligible for visa processing.

What Happens Next?

Overview

The table below provides you with an overview of the steps that take place once you have obtained all your documents and have completed the necessary forms.

Step	Action
1	Mail only the DS-230 Parts I and II forms for each applicant along with the DS-2001 and copy of Passport and one frontal picture to the address of the United States Consulate in Rio de Janeiro listed on the cover letter of this information packet, or drop the forms at the Consular Section “ Drop Box ” located in the auditorium of the American Consulate in Rio de Janeiro from 2:00p.m. to 4:00p.m. <i>Do NOT send any documents to this office. You need to bring them with you on the day of your interview.</i>
2	The United States Consulate will complete all necessary administrative processing of your immigrant visa application. You may be requested to provide additional information if you have incomplete or missing documents.
3	Approximately one month before your scheduled interview appointment with a consular officer, you will receive an appointment letter containing the date and time of your visa interview. If approved, the visa will be delivered to you through express mail.

Bringing your documents

You will need to bring all your original documents or certified copies and a common copy at the time of the visa interview.

Fee

The total fee for an immigrant visa is US\$ 400.00 or local currency equivalent in cash, no checks are accepted. We only accept full payment in one currency. “Traveler’s checks” can be accepted if counter signed. International Credit cards are accepted, ie: Visa/Mastercard/American Express/Novus-Discover/VisaMastercard. This fee should be paid at the American Consulate. Each applicant must be prepared to pay this fee, unless the payment has already been made in the USA.

Digital Fingerprints

All IV applicants will be fingerprinted except those in the following categories:

- Children under 14 years old;
 - Adults over 79 years old.
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When to call or write

The United States Consulate cannot guarantee how long it may be before you are scheduled for an appointment for a visa interview. Please notify the United States Consulate if the circumstances of your application have changed. For example:

- Change of address;
 - Change of marital status;
 - Death of petitioner, or
 - Birth or adoption of additional children.
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Inside the Consulate

IMPORTANT: Cameras, laptops, cellular phones and baggage are not allowed into the Consulate building.

Rio de Janeiro Immigrant Visa Unit hours

Window service for general information concerning immigrant visa processing is available by appointment only. Please schedule your appointment thru phone or e-mail.

The Immigrant Visa Unit can also be contacted by phone from Monday through Friday from 1:30p.m. to 3:30p.m. at (21) 3823-2000. You may get general information during after-hours from our answering machine service.

E-mail address: immigrationrio@state.gov

More information can also be found on our web sites: www.consuladodoseua-rio.org.br and www.state.gov

For your convenience the *Immigrant visa appointments are posted on our web site monthly, by approximately the middle of every month*, listing the interviews for the following month. Visa appointments for the current month are also listed. The list of appointments is in ascending order based on the Rio de Janeiro Consulate's immigrant case numbers. Please, match your case number against the list of numbers to find the date and time of your appointment. You can find your case number on this packet cover letter.

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