



K3/K4 VISA APPLICANTS INSTRUCTIONS PACKAGE

Overview

Introduction

The American Consulate in Rio de Janeiro has received information that you have been registered to apply for a K3 visa.

We have scheduled you an appointment at our office as specified in the letter sent by mail. **All members of your family that will immigrate with you (dependents that are eligible to be included in this process) must come to the interview.** If you cannot keep this appointment, please, notify our office immediately.

You must obtain the documents required for your application for an immigrant visa and bring them on the day of the interview. Do not mail any of the documents to this office.

In this information

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**Application for Immigrant Visa and Alien Registration Forms DS-230 Part 1,
DS-156 and DS-157**

Background

The forms attached contain questions regarding specific biographical information required for the immigrant visa.

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 the required forms. This would include any unmarried children under the age of 21.

Completing the forms

Please fill out the **DS-230 Part-I** completely. If a question does not apply to you then you must mark it with a N/A.

From: DS-156: Each applicant for a K3 visa and dependents should fill out two copies of the DS-156 through the following link: <http://evisaforms.state.gov>. After filling it out, this form needs to be printed and on the last page a barcode should be visible. **This form cannot be hand written, it has to be filled out in this link.**

Form DS-157: Each applicant over 16 years old must fill out one copy of the DS-157. Fill these forms out completely even if they say in the title "non-immigrant visa forms".

Questions

If you have any questions on completing the forms, please contact the Immigrant Visa Unit at the American Consulate General in Rio de Janeiro. The address for United States Consulate is listed on the cover letter of this instruction packet. ***K3 visa interviews in Brazil are conducted only at the Consulate in Rio de Janeiro.***

Documents You Need to Obtain

Document requirements

Please obtain the ***original documents*** or ***certified copies (along with one simple 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.

Marriage certificates

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.

Note: If your American spouse has already been married before, please provide an original and a simple copy of the evidence of the termination of each of his/her prior marriage, as well.

Police certificates

Police certificates are required for each visa applicant aged 16 years or older. 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.

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.
- **“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, Delinst – Delegacia de Segurança Institucional” 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.

Note:

- Please bring all previous passports, even the ones already expired or cancelled;
- If you have passports from other nationalities, you must bring them, as well;
- If you are not a native Brazilian, you must bring evidence of your Brazilian naturalization certificate, permanent or temporary residency in Brazil

Deportation, Voluntarily Removal and Asylum

If you had any previous problems with the Department of Homeland Security (DHS) or have claimed for asylum you must bring the official reports from DHS 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 form DHS website and follow the instructions included on that form. DHS must previously approve form I-212 before you can receive the K3 visa.

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.
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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 DHS webpage.

Translations

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

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

- Translation is accurate,
 - Translator is competent to translate and
 - The translation must be notarized.
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Medical Exam

General
requirements

In order to be eligible for an immigrant visa, you and your accompanying relatives included in the process must undergo a medical examination. It is necessary to conduct blood tests, a chest x-ray, vaccinations and a physical exam (including basic gynecological and breast examination). Referenced Panel Physicians are listed on our website.

Photographs

General
requirements

Two photos are required of all applicants regardless of age. The photograph should have applicant's name lightly printed on the reverse side. Color Polaroid photos are acceptable. Scanned pictures are not accepted.

Photographs

Two (2) color photographs with white background on glossy paper are required. The picture must not be retouched or mounted. The photograph must be a frontal picture, **with both ears visible**. No head covering or glasses should be worn except for religious purposes. Photos must be 5cm x 5cm or 5cm x 7cm, head centered.

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. Affidavits of support and job offer letters are valid for one year.

K3 Affidavits

You may present your own means of support or the petitioner may fill out an Affidavit of Support, **form I-134**. You may download this form from our website. The sponsor must attach proof of his/her income such as: copy of last U.S. Federal Income Tax (form 1040), proof of current employment, job offer, pay-slip, etc. One form is sufficient for all family members.

Evidence of Relationship

General requirements

You must submit evidence of relationship with your American fiancé (e). Proof of relationship may be any document that you think will prove to the consular officer that you have a real relationship with your fiancé(e) such as visas to Brazil or United States, air tickets, phone bills, photos, correspondence or e-mails exchanged, etc.

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 order to receive the K4 visa, or to follow you after your K3 visa issuance, 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**.

Nota: We will process your visa as quickly as possible so that we can issue a visa to your child on the same day we issue yours. Your child must enter the United States within the validity of the visa, you must file for adjustment of status and adjust your child's status before he turns 21. If that is not possible, your child will only be able to remain in the United States during the period authorized by the DHS Officer at port of entry.

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.

Document screening

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

Fee

The total fee for a K3 visa is US\$ 131.00, this payment must be done only in reais; no checks are accepted, **payable at Citibank in advance**. Each applicant must bring the fee already paid on the day of the interview. This fee cannot be paid at the Consulate under any circumstances. Each dependent must pay the fee, regardless of age. There is no specific form for the fee. Just ask for the "American visa fee" at a Citibank agency.

Digital Fingerprints

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

- Children under 14 years old;
 - Adults over 79 years old.
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Visa

We cannot guarantee the approval of your visa in advance. The Consul must check the documents first and then make a final decision on your visa request. **We encourage you NOT to make any final travel arrangements, sell your properties or quit your job before your visa is issued.**

The visa is good for 24 (twenty four months) with multiple entries after the issuance. Upon entrance in the U.S. you must wait for the approval of your I-130 petition by the Department of Homeland Security – DHS (www.uscis.gov). After the approval of your petition, you and your spouse must contact the nearest Department of Homeland Security office to adjust your status in the USA, this means to change from a K3 visa to IR-1/CR-1 visa holder and have your “green-card” issued. Once in the USA, you must contact the Social Security Service to obtain your card and authorization to work (www.ssa.gov).

This Office will do its best to process your visa as soon as possible but you will most likely have to spend the entire morning in this Office until the Consul can make a final decision on your request. If any problem is detected, it is possible that you may have to return to this Office again.

You must use an express delivery service that has a partnership with the consulate to return your visa after issued. Upon the approval of your visa you will receive instructions on how to contract this service. **This service is mandatory.** The Consulate will not be responsible for losses or damages that may occur to the correspondence, nor any tracking system. If the correspondence gets lost, you would have to prepare all the documents again in order to receive another visa.

Contact Information

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.

Please see our *Contact Information and Working Hours* in our website Immigrant Visas main page.

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