



Guide to Completing Department of State Form 160 Nonimmigrant Visa Application

The DS-160 Visa Application Form and Its Use

The U.S. Department of State (DOS) Form 160 (DS-160) replaces the nonimmigrant application forms DS-156, 157, 158, and other related forms, such as DS-156E, 156K, and 156V.

Where to Locate the DS-160 Visa Application Form

You can locate the form at: <https://ceac.state.gov/genniv/> if you are applying at a U.S. Consulate that requires the DS-160 form.

Technical Tips For Navigating the Electronic Form

You must complete and submit the DS-160 online. Clicking the "submit" button constitutes the applicant's electronic signature. Upon submission of the DS-160, you will receive a confirmation page with a barcode that you must print and bring to your visa interview appointment.

Matching DS-160 Confirmation Number. Many U.S. embassies and consulates now require that the DS-160 confirmation barcode number (the number beginning with "AA") exactly match the barcode number used when scheduling the visa appointment. Applicants should verify before the interview that the DS-160 confirmation page and appointment record reflect the same barcode number. A mismatch may result in cancellation of the interview or a requirement to reschedule the appointment.

DOS stores all information that you submit in its database. A U.S. Consular official will access and review the form during the interview. Thus, it is critical that if you have questions about the form or want to ensure that it is correct **before** you submit the application, you should save the form and send a draft to your immigration lawyer (assuming that your company policy permits this consultation).

Biometrics Collection. Once you complete your application, depending on the consular location, you may be asked to upload a photograph to the application. Biometric collection procedures vary significantly among U.S. embassies and consulates. Some posts require a separate Visa Application Center (VAC) or biometrics appointment, while others collect fingerprints and biometric information in connection with the visa interview process itself. Applicants should carefully review the instructions provided by the U.S. embassy or consulate where they will apply, as procedures frequently vary from post to post.

Editing the Form. To begin completing an Application, click on the "Start a New Application" button. Editing is possible by going back to previous pages. Do not use the browser back button, as that

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tends to terminate the session. There are two options: (1) use the table on the left of the screen to go back to the desired section; or (2) use the Back arrow on the bottom of the application form. If you choose to use this option, you will have to complete the page to which you have advanced first. If the page is not completed, you will not be able to return to the previous page.

Saving Data Prior to Completion. If you need to stop the application before it has been completed, click the "Save" button at the bottom of the last page you have completed and follow the instructions to save the application data to a file. When you return to the Consular Electronic Application Center, click on the "Upload a Previous Application" button to upload the previously saved data.

Multiple Entries. Certain questions will require you to list multiple entries (for instance, the question about immediate relatives). However, there will only be room for one. Below the boxes that are provided for the information, there is an option to add or remove fields. You can select "+ Add Another" or "- Remove."

Do Not Leave Blanks. It is necessary to answer each question on the form. Do not leave blanks. If an item is not applicable to you, write either "None" or "Not Applicable" in the pertinent space. You will be prompted to fix any omitted answers before the form allows you to move on to the next page.

Uploading Your Photograph. There are some important points to note before you attempt to upload the photograph:

- The photos must be no older than six months;
- The photos must measure exactly 2 inches by 2 inches;
- The photo should show a clear, front view, full face of the applicant;
- Unless worn daily for religious reasons, all hats or headgear should be removed for the photo;
- Eyeglasses generally may not be worn in visa photographs. Exceptions are rare and generally limited to documented medical circumstances. Dark glasses, tinted lenses, and photographs containing glare or shadows obscuring the eyes are not acceptable.
- Uniforms, clothing that looks like a uniform, and camouflage attire should not be worn in photographs except in the case of religious attire that is worn daily. Otherwise, normal street attire should be worn;
- A parent or guardian may not appear in the photo of a minor child; the child must be the only subject;

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- Nothing used to support the minor child, whether by mechanical or human means, should be in the camera's frame; and
- Only original photos are acceptable. Photos copied from recent driver licenses or other official documents that are copied or digitally scanned will not be accepted, and the photos must not be retouched to alter the applicant's appearance in any way.

Including Family Members

You must include all derivative family members who plan to accompany you to the United States in your visa appointment, although, in some cases, they can apply separately. Generally, it is best for the whole family to apply together if possible. Only your spouse and children who are under the age of 21 can qualify for derivative visas through you. If you have a child who is going to turn 21 in the next year, please alert the attorney handling your case. Further, if you just got married within the past year, you should consult the lawyer about evidence that you should bring in case the interviewing official asks for evidence that your marriage is bona fide and that your spouse should receive a derivative visa. L-2 spouses are generally employment authorized incident to status and ordinarily do not need to obtain a separate Employment Authorization Document (EAD) in order to work in the United States. They may also attend school. H-4 spouses are not automatically authorized to work but may qualify for employment authorization in limited circumstances if they independently obtain an EAD. H-4 spouses may attend school. All H-4 and L-2 children may attend school.

General Comments To Consider Before You Start Completing the Form

A failure to answer all questions accurately and truthfully may result in the U.S. Embassy charging you with the commission of immigration fraud, resulting in a denial of your visa application and in your becoming inadmissible to travel to the U.S. under any circumstances. In some cases, there may be no relief from such a finding. The U.S. government engages in significant data mining, and you should operate under the assumption that the U.S. government is already aware of it if you have been arrested and/or convicted of a crime or have violated your U.S. immigration status in the past, such as by overstaying your lawful stay as per your I-94 card or working without authorization. It is mandatory to tell the truth and deal with any particular issues in a direct and forthright manner. If you believe a "yes" answer is mandated with respect to the "yes/no" questions about arrests, violations, or other issues raised on the form, you should immediately contact the attorney assisting you with regard to your application for advice before you complete and upload the form.

More recently, the U.S. Consulates have been focusing on applicants who have any alcohol related arrests or convictions, and sending them for medical and psychiatric evaluations in some instances. This is true

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even though most "simple" (non-aggravated) alcohol related offenses do not make one ineligible for a visa in and of themselves. If you have a prior alcohol-related arrest, please contact the attorney handling your case for advice.

If a U.S. Consulate or Embassy has previously denied a visa application that you filed at any time, you must disclose it on the form or risk a charge of immigration fraud. In this instance, and before you upload the form, please consult an attorney to determine if what happened was truly a denial or not. Sometimes it is not so easy for a visa applicant to determine this because the U.S. Embassy may have just returned the application to the applicant without making a decision, such as when a security check delay results in a visa application for a business visitor visa taking so long that the purpose for the visa application has disappeared.

Specific Comments

NOTE: Our Specific Comments below cover some but not all portions of the fields that an applicant can expect to see when completing the DS-160 form. Our comments are intended to explain how the U.S. government officers typically interpret those questions on the form that may be harder to understand, and explain how you can provide information that is responsive to those questions so the U.S. government officer finds your answer to be responsive to the question. You must, again, ensure that all answers are accurate and truthful.

Pages Displayed for All/Most Applicants

Personal Information 1

Surnames. Enter all surnames (last names) as they are listed in your passport.

Given Names. If your passport does not include a given name, enter "FNU"

Other Names. Other names used include your maiden name, religious name, professional name, or any other names which are known by or have been known by in the past. If you click "Yes," a space to enter these other names will appear on the page.

Marital Status. If you are living together but have not been officially married and received a marriage certificate, and the country you live in does have a mechanism for issuance of marriage certificates, the answer is likely "no" and your significant other may potentially not qualify for a derivative visa through you. However, the laws as they apply to some countries are complex, so check with the attorney who is assisting you on your case.

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Country of Birth. Insert the country name that is currently being used for the place where you were born. For example, someone born in 1990 in the part of the USSR that is now within Russian borders would list "Russia" and not "USSR."

Date of Birth. If your day or month is unknown, please enter the information as stated in your passport.

Personal Information 2

Other Nationality. If you click "Yes" in response to the question of whether you hold or have ever held another nationality, you will next be asked to indicate the other nationality and whether or not you have a passport. If you do have a passport, you will need to enter the passport number.

National Identification Number/U.S. Social Security Number/U.S. Taxpayer ID Number. If you do not have a National Identification Number, U.S. Social Security Number, or U.S. Taxpayer ID Number, then check "Does Not Apply." Please note that an Individual Taxpayer Identification Number (ITIN) issued to some derivative visa holders such as H-4 and O-3, is not a Social Security Number.

Address and Phone Information

Home Address. Applicants should answer this question truthfully and consistently with their actual residential circumstances. Depending upon the individual's situation, the appropriate answer may be an address in the United States or abroad. Applicants should ensure that the address provided is accurate and can be explained consistently during the visa interview. If there is uncertainty regarding which address should be used, consult the attorney handling your matter before submitting the application.

Mailing vs. Home Address. The form asks whether your mailing address is the same as your home address. Applicants should carefully review the document delivery procedures applicable to the consular post where they are applying. In many locations, passport return and document delivery are now handled through designated courier systems or collection locations rather than direct mailing to the address listed on the DS-160. Ensure that all address information provided is accurate and consistent with the appointment scheduling system.

Passport Information

Passport Number. You should enter the information on the passport you will be using when traveling to the U.S. Your travel document should be a valid, unexpired passport or other valid, unexpired documentation that is sufficient to establish your identity and nationality. Your passport ordinarily should be valid for at least six months beyond the anticipated period of stay in the United States unless a country-specific

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exception applies. Applicants should review passport validity requirements carefully before scheduling visa appointments.

If your passport will expire in less than one year, it is generally advisable to secure a new passport before you apply for a visa, and read our memo about how to avoid improper admission since an expiring passport can lead to a truncated period of authorized stay on your I-94 card when you enter the U.S.

Passport Book Number. The Passport Book Number is commonly called the inventory control number. You may or may not have a Passport Book Number on your passport. The location of the Passport Book Number on your passport may vary depending on the country that issued your passport. Please contact your passport issuing authority if you are unable to determine whether or not your passport contains a Passport Book Number.

Expiration Date. In most cases, a passport should remain valid for at least six months beyond the anticipated period of stay in the United States unless a recognized exception applies. Whenever possible, it is advisable to renew a passport that is approaching expiration before applying for a visa.

Lost or Stolen Passport. If you indicate that you have had a passport lost or stolen, you will be asked to provide the passport number and the country/authority that issued the passport. There is an option to indicate that the passport number is unknown. If your passport is ever stolen, you will want to ensure that you file a police report and permanently retain a copy. U.S. Customs and Border Protection (CBP) has been known to regularly pull travelers aside and interrogate them if their passport has ever been lost or stolen.

Travel Information

Principal Applicant. All visitors for business or pleasure are principal applicants, even if you are traveling with your family. If you are coming to the United States in a category of visa that permits you to work, study, or get married, you are the principal applicant. You are not the principal applicant if you are accompanying your spouse or parent who is coming to the United States in a category of visa that permits them to work, study, or get married. If you are not the principal applicant and click "No," you will be asked for the name of the principal applicant and his or her purpose for travel.

If you are not the principal applicant, you should be prepared to provide information about the principal applicant's purpose of trip to the United States and related documentation information (for example: if the principal applicant is coming to the United States on a student/exchange visa, you will be asked to provide the principal applicant's SEVIS ID number).

Purpose of Travel. Many categories are available from the pull-down menu. Several of them will require additional information when chosen. These will appear automatically. If you select the wrong category, then you may find that when you show up for your interview, the Consular officer advises you that he will

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cancel your appointment, and you will have to submit a new DS-160 and a new request for an interview. Some common visa application categories/ types on the drop down menu are:

Business visitor (B-1)

Treaty Trader/Investor (E1, E2)

Australian Specialty Occupation (E3)

Student/Exchange Visitor Visa (F, J, M, Q)

Temporary Workers

If you select temporary workers, you will then see additional choices on the drop-down menu, such as: specialty occupation professional (H-1B); trainee (H-3); intracompany transferee (L-1); and extraordinary ability (O-1).

If you are unsure of which is the proper category to list, please be certain to contact the attorney who is assisting you.

Regarding providing an explanation, you must ensure your answer is accurate and truthful. Typical answers for various categories may, again, if accurate, include:

A business trip for my [INSERT COUNTRY] employer **(for B-1 applicant)**

Accepting temporary intracompany transfer **(for first-time L visa applicant)**

Accepting temporary U.S. professional employment **(for first-time H-1B and E-3 visa applicants)**

Attending [INSERT UNIVERSITY NAME] **(for F-1 student)**

Participate in a training program (or internship) **(for J-1 visa applicants)**

Again, you will need to tailor your exact answer to ensure accuracy.

NOTE: An applicant cannot select Border Crossing Card (BCC) if his/her nationality is other than Mexican.

Intended Date of Arrival. Please note that the visa will not be issued on the date of your interview, but often it may take up to a week from the date of your interview to receive the visa (and longer if the U.S. Consulate imposes an extra security check). If you are unsure of your plans, provide a good faith estimate. Please

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note that this page will be displayed if the Additional Work/Education/Training page is not required (this page is required for nationals of certain countries as discussed below). In some visa categories, such as F-1, J-1, L-1 or H-1, there are rules about how far in advance of the underlying document validity date and/or U.S. arrival one can apply for a new visa, so check with your attorney.

Intended Length of Stay. Temporary visa applicants must understand that the U.S. government rules prescribe that the length of U.S. intended stay must be consistent with the underlying or requested approval. For F-1 students, this would normally be until the month/year of graduation or, if optional practical training is granted, that latter end date. For J-1 exchange visitors, it would normally be the end date on the DS-2019 Certificate. For H, O and L visa applicants, it would normally be the end date stated on the I-797 Approval Notice (or the requested end date on the L blanket-based I-129S petition). Locate the drop-down answer consistent with these rules and your situation.

Address Where You Will Stay in the U.S. You cannot provide an answer of "not yet determined" even if you do not know the planned location of your initial stay upon arrival yet. If possible, make a hotel reservation or other arrangement and put that street address (the U.S. Consulate may not accept a P.O. Box). If not possible, the best you can do is to write "to be arranged with" in front of the name of the entity, such as a school or employer, that is your U.S. sponsor and its street address. The U.S. Embassies have accepted this answer in the past as long as it is honest. Please note that most noncitizens in the United States are required to report a change of address to USCIS within ten days of moving. USCIS now strongly encourages reporting changes through its online change-of-address system, although Form AR-11 remains available in certain circumstances. Exceptions apply to some categories of noncitizens.

Persons Traveling With You. You should answer "Yes" to this question if you are traveling with family, as part of an organized tour, or as part of a performing group or athletic team. You do not need to and should not list separate individuals who are traveling with you for the purposes of business travel or employment with the same employer or organization.

Previous U.S. Travel Information

Previous Travel to the U.S. If you have traveled to the U.S. in the past but are unsure of the exact dates, providing a good faith estimate is acceptable.

Previous Visa Applications. You must list ALL visa applications that you have ever filed at a U.S. Consulate (including B-1 or B-2 visitor visa applications). Please check your current and expired passports. If you are not certain the visa type, write your best remembrance followed by a question mark, such as J-1?, and follow the same procedure regarding the dates, such as 1/1/2001?

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Previous Visa Denials. If you have ever had a visa denied, you must list it. Disclosing this information does not necessarily mean that you will not be able to obtain a visa. However, if you fail to disclose a prior denial, the U.S. Consulate may charge you with immigration fraud, deny your application, and permanently bar you from the U.S. In some cases, it may not be clear if your previous application was denied, or just returned unprocessed. If there is any previous visa denial (or uncertainty), ensure you consult with your attorney before completing the form.

Previous Refusals of U.S. entry or withdrawals of Admission. If you have ever been turned away at a U.S. port of entry at an airport, sea or land port of entry, you must disclose it here. Again, consult with the attorney who is assisting you to determine if the past refusal or withdrawal may have any impact on your application.

Previous Visa Cancellations or Revocations. If this has occurred, it may be that it happened without any prejudice (such as the cancellation of an unexpired F-1 visa by a U.S. Consulate that then issued an H-1B visa to you). So a previous cancellation or revocation is often not a problem. As with other "yes" answers, you should consult with the attorney who is advising you regarding how you can accurately explain the cancellation or revocation and whether it will result in a denial or not.

Do You or Did You Ever Hold a U.S. Driver's License? Applicants should answer this question accurately and completely. If you previously held a U.S. driver's license and are uncertain whether your underlying immigration status at that time may raise questions, consult with the attorney assisting you before submitting the application.

U.S. Point of Contact

This can be any individual in the U.S. who knows you and can verify, if necessary, your identity. If you are applying for a student or exchange visitor visa, it would be the name and contact information of someone at the host organization who is familiar with your visa sponsorship and your planned visa application. If you are applying for a work visa, it would be someone who works for the U.S. sponsoring organization. It is important not to list a main switchboard as a phone number, since if the U.S. Consulate calls the contact, as is possible, someone who is ignorant about your U.S. plans may indicate that they have never heard of you and possibly trigger a visa denial. Hence, it is best to list the direct dial number of the person who is familiar with your planned joining of the U.S. sponsoring organization.

Family Information: Relatives

Immediate Relatives. This means fiancé/fiancée, spouse (husband/wife), child (son/daughter), or sibling (brother/sister). If you indicate that you do have immediate relatives in the United States, you will be asked to provide the relative's name, relationship to you, and status in the United States. Please note that in some

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particularly intent-sensitive visa categories such as B-1, B-2, F-1, or J-1, listing an immediate relative who is a U.S. citizen or permanent resident may make it more likely that the U.S. Consulate will deny your visa application. Of course, you must answer the question truthfully. You will want to consult your attorney about what additional evidence you will want to bring to your interview to try to overcome a presumption that you may be immigrating to the United States.

Family Information: Spouse

This field will be displayed if you have been married, divorced, or legally separated. You will have to provide information about your spouse/former spouse.

Family Information: Children (not in U.S.)

The form asks about whether you have any children who are beneath the age of 21 (since only children under 21 qualify for derivative visas, and such visas are limited to their 21st birthday). After the age of 21, children must have their own independent visa status if they are to remain in the United States. Please note that there is a special definition of "child" under the Immigration and Nationality Act (INA) so if your child has been adopted, or is a stepchild stemming from a re-marriage situation, you will want to proactively consult with the attorney who is assisting you to determine if your "child" qualifies for a derivative visa and, if so, what evidence you should bring to your visa interview.

Present and Past Work/Education/Training Information

This page is displayed for all applicants with varying amounts of information required depending on the Primary Occupation chosen. Choices include but are not limited to: Retired, Agriculture, Business, Communications, Computer Science, Culinary/Food Services, Education, Engineering, Government, Homemaker, Legal Profession, Medical/Health, Military, Natural Science, Physical Sciences, Religious Vocation, Research, Social Science, or Student, Not Employed, and Other. If you are not sure how to classify your job, please consult with the attorney who is assisting you.

Occupational Information

Retired. If you choose this option, you will be asked to provide previous work information on a subsequent page.

All Occupations. For all the occupations, you will need to list your primary occupation, duties, present employer, etc. If you are a work visa applicant such as H-1B, L-1 or O-1, and you have not yet started work in the U.S., this question relates to your current job outside the U.S. If you have quit your job abroad (which is not advisable to do until you have a U.S. visa in hand), you would list "not employed" and (where prompted) fill in the information on the job you just left).

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It is critical to ensure that you list the information on your current job consistently with regard to the U.S. sponsoring organization's visa petition in terms of job title, duties, and location. If you are sloppy and imprecise in listing the information, a U.S. consular officer may deny the application because the officer wrongly thinks there is a material discrepancy and that you are not being truthful about your background. You want to ensure that your job history information in terms of past positions accurately tracks what you and your employer listed in the work visa petition.

It is especially important to be careful when listing company names where DBA (doing business as) names are used, and, again, to make sure the information is clear, consistent, and accurate. Another example of where an applicant may trigger an unnecessary complication for himself or herself is where the employee has held four progressive jobs with a company, such as promotions from Programmer, Senior Programmer, and Manager, Software Programming, but fails to list them separately. If, for example, the petition is an L-1A petition where your qualification is predicated on the fact that you held the Manager job for over a year before your L transfer, and you just lump the jobs all together for the past five years as "Programmer," this may lead the Consular official to incorrectly assume that the employer's petition was materially inaccurate and that the petition was granted in error or due to a material misrepresentation by the employer and should be referred for revocation.

Furthermore, regarding work addresses, list the address where you actually worked. For example, if you are on an H-1B work visa for an employer headquartered in Boston, Massachusetts but you actually work in Cincinnati, Ohio, you would list the Cincinnati, Ohio address since that is where you work each day. If you work at an office in Paris, France, but your boss is in Boston, Massachusetts, your work address is in Paris, and that is what you should list on the form, unless the question on the form asks for the address of the headquarters.

Not Employed. The form will require you to submit an explanation of the circumstances. It may simply be that, for example, you have left your current job in anticipation of obtaining a visa and joining the U.S. employer. Again, it is wise not to quit a job, give notice to quit, or end living arrangements until the U.S. Consulate has issued a visa to you.

Have You Traveled to Any Countries Within the Last Five Years?

If this applies to you and you check "yes," you will need to fill in information. We are commonly asked how complete you must be. The answer is "as complete as possible." Review your current and any expired passports plus travel records and try to supply as complete a list as you can. While one may be concerned, for example, about a past business trip to some countries in the Middle East since it may trigger an extra security check, it is best to be complete than to be confronted with an irate U.S. Consular official who feels you misled him or her by omitting information about travel to that country and who now wants to issue an

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extra security check, investigation request or, worse yet, denial due to your failure to disclose this information.

Security and Background: Medical and Health Information

The form requires all applicants to answer these questions. If any questions may be a "yes" or you are unsure about whether a "yes" answer is warranted, you should consult with your attorney for advice. With regard to the question "have you ever been arrested or convicted for any offense or crime, even though subject of a pardon, amnesty, or similar action?", please note that the U.S. government requires disclosures of ALL arrests or convictions, no matter when or where you were arrested or convicted. In some countries, the law may be that the records are sealed and you are not required to disclose the information to third parties. If you apply for a U.S. visa, U.S. government rules require that you disclose the information despite the arrest or conviction records relating to your being a minor (child) at the time, being sealed or your being pardoned. If you have an arrest, you should consult with the attorney who is assisting you to determine if you are still visa eligible and, if not, whether you can apply for a waiver that would, if granted, result in visa issuance despite a past offense.

Security and Background: Immigration Law Violation Information

If any of these questions may trigger a "yes" answer, you should immediately consult with the attorney who is handling your application. In particular, you should review the question that states, "Have you ever been unlawfully present, overstayed the amount of time granted by an immigration official or otherwise violated the terms of a U.S. visa?" This question covers those who stayed beyond the end date of their I-94 card, even by a day (unless an extension was granted), and those who violated the terms of their stay such as, for example, remaining in the U.S. after being laid off, or working illegally. You should consult with your attorney if any of these or other possible violations may apply to you.

Security and Background: Miscellaneous Information

Please also consult with an attorney if you think that any of the answers to this section of the form may require a "yes" answer, so the lawyer can help you to determine the consequences.

Special Sections for Certain Visa Types

For some visa types, you will receive a drop-down menu regarding the visa application that you are applying for. For example, for E-3 Australian applicants, you will be asked if you have an approved labor condition application (LCA) and what the number of such application is. F-1 students and J-1 exchange visitors will be asked for the SEVIS number of their sponsor to confirm that they intend to study in the U.S. and provide some details. For temporary workers, the applicant will need to list the name and address of the U.S. employer and the monthly salary. Please be careful with regard to listing the correct salary. Particularly

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for H-1B applicants and other petition-based visa classifications, salary information should be reviewed carefully to ensure consistency with the underlying petition and supporting documentation. Material discrepancies may result in questions, delays, administrative processing, or possible refusal of the visa application.

[IMPORTANT NOTE: Consular procedures, interview requirements, document submission requirements, passport delivery procedures, and biometric collection processes vary by U.S. embassy and consulate and may change without notice. Applicants should review the website of the specific U.S. embassy or consulate where they intend to apply immediately before scheduling and attending their visa appointment.]

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