

# INSTRUCTIONS FOR IMMIGRANT VISA APPLICANTS

## BEFORE THE INTERVIEW

Before coming to the Embassy for your interview, applicants should select a passport delivery address in Turkey. If and when a visa is issued, the passports and visa packets are sent to a Turkish Postal Service (PTT) branch in Turkey for you to pick up in person. In order to make this selection, please follow the steps below:

1. Upon receipt of Embassy's notification, register online at [usvisa-info.com](http://usvisa-info.com) or by calling 0 850 390 2884 from Turkey or (703) 520-2490 from the United States
2. Choose "Immigrant Visa" for your visa category
3. Choose your visa pick up location (NOTE: Please make sure that you are selecting a PTT branch close to your address in Turkey.)
4. Print your registration receipt and bring it with you on your interview date with all the other required documents listed below.

IF YOU FAIL TO ATTEND YOUR INTERVIEW, you can request to reschedule an immigrant visa appointment through <http://usvisa-info.com>. Applicants/petitioners can also call the Visa Information Service at 0 850 390 2884 from Turkey or (703) 520-2490 from the United States to reschedule.

## REQUIRED DOCUMENTS AT THE INTERVIEW

1. **PASSPORT:** Each visa applicant needs to bring a passport valid for six months beyond the intended date of entry into the United States. Previous passport with a valid U.S. nonimmigrant visa should also be provided, if applicable.
2. **PASSPORT PICKUP LOCATION REGISTRATION RECEIPT:** The registration can be done either online via [usvisa-info.com](http://usvisa-info.com) or by calling 0 850 390 2884 from Turkey or (703) 520-2490 from the United States.

**MEDICAL REPORT:** Before their final immigrant visa interview, all beneficiaries are required to undergo a medical examination performed by one of the medical doctors authorized by this Embassy. The beneficiary is responsible for making his/her own arrangement for the medical examination with one of the physicians listed on the attached medical information sheet. The beneficiary is also responsible for the cost of the examination. A medical examination is also required for each accompanying child. You will be required to submit your medical report to this office at the time of your interview. Do not bring your x-ray film to the Embassy. For detailed information on medical examination procedures, please visit our website at <http://tr.edit.usembassy.gov/visas/immigrant-visas/medical-requirements/>

3. **FEE:** The Immigrant Visa fee is \$325.00 per person. The payment may be made in cash or by credit card to the consular cashier. Visa, MasterCard, American Express, Novus/Discover and Diners cards are acceptable. Personal checks and credit card numbers provided verbally or in writing are not accepted.
4. **FORM:** DS-260 Immigrant Visa Electronic Application needs to be completed before coming to the interview. These forms are accessible on the [Consular Electronic Application Center \(CEAC\)](http://ceac.state.gov) website. **This form does not need to be printed after online submission; the electronic version will be accessible to the Consular Officer at the time of interview.** Please print out the confirmation page (with the barcode) of your submitted DS-260 form and bring it on your interview date. You may review the Frequently Asked Questions on DS-260 Immigrant Visa Electronic Application on U.S.

Department of State's web site at [http://travel.state.gov/visa/immigrants/info/info\\_5248.html](http://travel.state.gov/visa/immigrants/info/info_5248.html) for more information. The case number and invoice number required on CEAC web site to login to the application are provided to you by NVC.

**5. BIRTH CERTIFICATES:**

- a. Birth certificates for **Turkey** are called "Nufus Kayit Ornegi". Please provide an original. No English translation is required
- b. Birth certificated for **Iran** are called "Shenasname". Please provide the original, certified English translation with a copy. Please do not provide Karte Melli
- c. Birth certificates for **Iraq** are "Hawiat Al Ahwal Al Madniya". Please bring their originals with English translations and copies. Iraqi applicants are also required to submit their National ID cards, "Shahadat Al Jinsiya Al Iraqiya" with an English translation along with a copy.

**6. MARRIAGE CERTIFICATE:** The original and two copies of your marriage certificate is required. If the marriage took place in a country other than Turkey or the U.S., a certified English translation of the foreign marriage certificate is also required.

**7. DIVORCE DECREE OR DEATH CERTIFICATE:** If you were married previously, bring the original and copy of the divorce decree or death certificate to prove the dissolution of each prior marriage. If the divorce took place in a country other than Turkey or the U.S., a certified English translation of the foreign divorce decree is also required. For divorces that took place in the U.S. or Turkey, the court-certified original divorce decrees must either have the raised seal or rubber stamps of the court and original signatures. Attorney certified copies without raised seals, rubber stamps or plain photocopies of court certified divorce decrees will not be accepted. Marriage or birth certificates on which the divorce is registered and translations of divorce documents without the originals are not accepted in lieu of a court-certified divorce decree.

**8. MILITARY CARD:** Iranian applicants need to provide original, copy and certified English translation of military card. If you are exempt from the service please provide a copy and certified English translation of your military service exemption card. Military card for Turkish applicants are not required.

**9. COURT AND PRISON RECORDS:** Persons convicted of a crime must bring original and copy of each court record and any prison record, even if the beneficiary has been pardoned or granted amnesty. If you have a conviction, please provide the copy and English translation of all the law articles referred to in your court record.

**10. OTHER COURT DOCUMENTS:** Originals and copies of court records regarding name changes, age ammendments, adoption and similar subjects must also be submitted. Originals of these documents should be submitted at the time of interview.

**11. POLICE CERTIFICATE REQUIRED FOR APPLICANTS 16 YEARS AND OLDER:**

Applicants are required to submit a police certificate from the country of the applicant's nationality and current residence. Police certificates are also required from all other countries where the applicant has resided for at least one year. Regardless of the length of residence, a police certificate must also be obtained from the police authorities of any place where the applicant has been arrested for any reason. Police certificates for **Turkey** must include the archive records check (Arsiv kayitli Adli Sicil Kaydi), but do not need translation. Police certificates for **Iran** are not required. For detailed information on how to obtain a police certificate from a country, please visit U.S. Department of State website at <http://travel.state.gov/content/visas/en/fees/reciprocity-by-country.html>

**12. EVIDENCE OF FINANCIAL SUPPORT:** Each beneficiary must obtain a Form [I-864](#), Affidavit of Support from the petitioner, with the petitioner's original signature and supplementary forms: W-2 and 1040 Individual Income Tax returns for the last year, bank and other financial statements. If the

petitioner does not qualify to sponsor the applicant financially, a co-sponsor must also present a signed Form [I-864](#), supplemental financial documents, and a copy of his/her US passport or green card. If the petitioner's tax documents are not available, the petitioner must also submit a signed statement explaining why he/she did not pay taxes to the U.S. Government during the last taxable year. Please see the following pages for more information on Affidavit of Support.

**13. PROOF OF DOMICILE:** In order to petition for your relative to come to the United States, the petitioner must have an un-relinquished residence in the United States. Please see the following pages for more information on domicile.

**14. PHOTOS:** Regardless of age, all U.S. Immigrant Visa applicants must present two un-retouched color photographs, approximately 2 X 2 inches (5 X 5 cm) in size, taken on a white background. Please read the instructions on our website at <http://tr.edit.usembassy.gov/visas/immigrant-visas/immigrant-visa-photo-requirements/> for information.

### **AFTER THE INTERVIEW**

After your personal application, if your file is complete, your visa will be issued and your passport and visa packet will be given to PTT for delivery to your passport pickup location.

Some Turkish applicants and most Iranian applicants require extensive administrative processing prior to issuance of the visa. This process can take up to 6 months or longer. No visa for these applicants can be issued until the administrative process is complete.

**If administrative processing is required**, we recommend that applicants return home while they wait for the completion of the process. Once the administrative processing is completed, the applicant's case number will be posted on our website. It will be your responsibility to check our website to see if your process is completed. After the administrative processing is complete, applicants can send their passports, and other missing documents, if any, to our office by PTT. After the final review, if your application is complete, your passport and visa packet will be sent to the PTT branch of your choice in Turkey within five to ten working days after we receive your passport.

While waiting for the administrative process to be complete, your medical examination may expire. In that case, you will need to renew the medical examination.

The validity of your immigrant visa will be limited with the validity of your medical report. An immigrant visa is valid for a maximum of six months from the date of issuance. Applicants must travel and apply for admission to the United States before their immigrant visas expire.

### **MOST IMPORTANT**

No assurance can be given in advance that a visa will be issued. A consular officer can make a decision only after the formal application and all documents are reviewed, and that officer has personally interviewed the applicants.

Beneficiaries should not make any travel arrangements for departure, dispose of personal property or make other life changes until the visa has been issued.

This office will make every effort to expedite the process. However should complications arise, applicants may be required to return to this office or furnish additional information.

## AFFIDAVIT OF SUPPORT – FORM I-864

### Overview

The [I-864 Affidavit of Support](#) is a contract between a sponsor and the applicant that is required for some immigrant visas. In this contract the sponsor agrees to provide financial support for the applicant until he/she becomes an American citizen or can be credited with 40 quarters of work (usually ten years).

**The sponsor must show that he/she has income equal to or greater than 125 percent of the federal poverty guidelines for his/her household size.** The [I-864P form](#) lists the required income for different household sizes.

If a sponsor's income is not greater than 125% of the federal poverty guideline, then another person must offer to sponsor the beneficiary. This co-sponsor must fill out a separate [I-864](#), unless the co-sponsor is a member of the sponsor's household (i.e., the co-sponsor claims the original sponsor as a dependent on his or her tax forms).

While photocopies of supporting documents are accepted, only original [I-864](#) forms with sponsors' signatures are acceptable.

US citizens filing [I-130](#) petitions on behalf of their biological children under the age of 18 should complete the form [I-864W](#) instead of an [I-864](#) form. Such petitioners are not required to submit supporting documents such as tax returns in addition to their [I-864W](#) form. Please note that this rule does not apply for US citizens filing petitions on behalf of their minor step-children. Such petitioners should complete the [I-864](#) form and submit it along with the supporting documents.

### Requirements for the Sponsor

A sponsor must be at least 18 years old and either an American citizen or a lawful permanent resident (LPR). The sponsor must also have a domicile (residence) in the United States.

### Supporting Documents

A sponsor must attach to the affidavit his or her 1040 tax returns and W-2 forms for the most recent taxable year. If the sponsor claims additional assets on the [I-864](#), he or she must attach proof of those assets as well. NOTE: A sponsor's primary residence and/or car cannot count toward "proof of assets" since a sponsor would not be expected to sell his or her home to sponsor an immigrant.

Consular officers can only accept individual tax returns, not business tax returns, since the individual is sponsoring the applicant, not a business. If the sponsor does not have copies of his/her tax returns, he/she can submit a summary of the returns from the Internal Revenue Service (IRS).

If a sponsor files taxes jointly with his or her spouse, then the spouse must fill out form [I-864A](#) (Contract Between Sponsor and Household Member), which is attached to form [I-864](#).

Sponsors must attach tax returns for the most recent tax year to their affidavit of support. If a sponsor did not file taxes in the most recent tax year, they must attach a statement explaining why they did not file taxes.

### Accompanying family members

Each accompanying family member must have either an original or photocopy of the [I-864](#) Affidavit of Support (and [I-864A](#) if needed). Copies may be used only for dependents whose names appear on the

principal applicant's original petition. Copies of supporting documents are not required for accompanying family members applying for visas together with the principal applicant.

Family members who travel later (follow-to-join) will require one complete set of the documents prepared in support of the principal applicant's [I-864](#). Each individual applicant must present an [I-864](#) Affidavit of Support with original signatures.

If family members have separate visa petitions, each family member must submit a signed [I-864](#) from the petitioner/sponsor, the joint sponsor (if required) and [I-864A](#) as required. Each family member must also submit a complete set of supporting documents (such as tax returns, job letters and bank statements).

### **Frequently Asked Questions:**

#### **What is household size?**

Household size is determined by the number of people claimed on a sponsor's tax returns, the number of people otherwise dependent on him or her, other people a sponsor has filed an Affidavit of Support for, plus the beneficiaries of the petition. For example, if a sponsor who files taxes jointly with his wife and claims two children as dependents is sponsoring one person to immigrate to the United States, his household size is five (himself, his wife, 2 children, and beneficiary). If an unmarried sponsor claims her mother as a dependent on her tax returns, has filed an Affidavit for one other individual, and is sponsoring a family of three to immigrate, her household size is six (herself, mother, other beneficiary, and the family of three).

#### **What if I did not file income tax returns in the previous year?**

Immigration law requires the sponsor to submit income tax returns for the last income tax year immediately before the [I-864](#) is signed if the sponsor was required to file. The Internal Revenue Service (IRS) requires Americans and lawful permanent residents who are working abroad to file income tax returns even if most or all of their overseas income is excluded from U.S. taxes.

If a sponsor was not required by law to file an income tax return, he/she should prepare a statement affirming that he/she was not required to file a tax return and give the related Internal Revenue Service (IRS) regulation. The IRS 1040 Instruction Book has information on who is not required to file income tax returns.

**More information on the [I-864](#):** Visit the Department of State web site at [http://travel.state.gov/visa/immigrants/info/info\\_3178.html](http://travel.state.gov/visa/immigrants/info/info_3178.html) for detailed information about the [I-864](#) Affidavit of Support.

For most current poverty guidelines, please click on <http://www.uscis.gov/files/form/i-864p.pdf>.

## **Domicile**

Petitioners and sponsors for family-based immigrant visas are required to be domiciled (live) in any of the States of the United States, the District of Columbia, or any territory or possession of the United States.

### ***Can a U.S. citizen or lawful permanent resident (LPR) petitioner who is not domiciled (residing) in the United States be a sponsor?***

No. The law requires a sponsor who is 1) a citizen/ national or a LPR of the United States; 2) at least 18 years of age; 3) domiciled in the United States; 4) the petitioner, and 5) meets certain income requirements. To be domiciled in the United States a sponsor must live or reside in any of the States of the United States, the District of Columbia, or any territory or possession of the United States.

### ***If the petitioner does not have a domicile in the United States, can a joint sponsor file an I-864?***

No. Under the law, a joint sponsor cannot sponsor an immigrant when the petitioner does not have a domicile in the United States. The petitioner must first meet all the requirements for being a sponsor, except those related to income, before there can be a joint sponsor.

### ***How is domicile determined?***

Domicile is a complex issue and must be determined on a case by case basis. To qualify as a sponsor, a petitioner who is residing abroad must have a principal residence in the United States and intend to maintain that residence for the foreseeable future. Lawful permanent resident (LPR) sponsors must show they are maintaining their LPR status.

Many U.S. citizens and LPRs reside outside the United States on a temporary basis, usually for work or family considerations. "Temporary" may cover an extended period of residence abroad. The sponsor living abroad must establish the following in order to be considered domiciled in the United States:

- He/she left the United States for a limited and not indefinite period of time;
- He/she intended to maintain a domicile in the United States; and
- He/she has evidence of continued ties to the United States.

An American citizen or LPR spouse or dependent who has maintained a residence in the United States and/or whose spouse/parent works in one of the categories listed below would also qualify as a sponsor.

### ***Individuals living abroad temporarily due to their employment may be considered domiciled in the United States. What kind of employment abroad can be counted as U.S. domicile?***

- Employment by the U.S. government;
- Employment by an American institution of research recognized by the Attorney General;
- Employment by an American firm or corporation engaged in whole or in part in the development of foreign trade and commerce with the United States, or a subsidiary of such a firm;
- Employment with a public international organization in which the United States participates by treaty or statute;
- Employment by a religious denomination/group having a genuine organization within the United States and is stationed abroad with that religious denomination; or
- Employment as a missionary by a religious denomination/group or by an interdenominational mission organization within the United States and is stationed abroad with that religious denomination.

There may be other circumstances in which a sponsor can show that his or her presence abroad is of a temporary nature, and the sponsor has a domicile in the United States. The sponsor must satisfy the consular officer that he/she has not given up his/her domicile in the United States and established his/her domicile abroad.

***How can a petitioner establish a domicile in the United States?***

When a sponsor has clearly not maintained a domicile in the United States, he/she will need to re-establish a U.S. domicile in order to qualify as a sponsor. The sponsor may take a number of steps to show that he/she is establishing his/her principal residence in the United States. Some examples of steps one can take to establish domicile include:

- Finding a job in the United States;
- Locating a place to live in the United States;
- Registering children in U.S. schools;
- Making arrangements to give up (relinquish) residence abroad; or
- Providing other evidence of a U.S. residence.

If the sponsor establishes U.S. domicile, it is not necessary for the sponsor to go to the United States before the sponsored family members. However, the sponsored immigrant may not enter the United States before the sponsor returns to the United States to live. The sponsored immigrant must travel either with the sponsor or after the sponsor has returned to the United States.

Some documents which may establish proof of domicile are listed below:

- Checking account statements showing daily activity in the USA over an extended period of time.
- Doctors, medical, and/or pharmacy bills covering an extended period of time.
- A lease agreement or utility bills in the petitioner's name.
- Voter registration cards (U.S. citizens only)
- Advance parole and/or re-entry permit (Legal Permanent Residents only).