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## Tips for Completing the Form DS-156

By Joel H. Paget

The DS-156 is being replaced by the form DS-160. However, there are instances where the U.S. Consulate still may require a Form DS-156 to be completed instead, such as the K visa. The form is available on the internet site for the U.S. Consulate to which the application is being made.

### Passport Information

**Box 1:** Enter the passport number of the passport the applicant will use to enter the United States. The passport must be unexpired and unless issued by an exempt country, must have six months remaining validity past the duration of the applicant's intended stay in the United States.

**Box 2:** Enter the city, country, state/province where the applicant's passport was issued. The country where the passport was issued may be different than the country that issued the passport because the applicant might have been living in another country at the time of issuance.

**Boxes 3, 4 and 5:** Enter the Country that issued the passport, the date it was issued and the date it expires in DD/MM/YYYY format.

### Personal Information

**Boxes 6 and 7:** An applicant's surnames and given names may be hyphenated or contain two or more names. The applicant's surnames and given names should match the applicant's names in his/her passport exactly. If the applicant's passport does not include a given name, enter "FNU."

**Boxes 8 and 9:** If the applicant has ever used any other names, including different spellings of his/her name, he/she should enter these names here. "Other surnames used" includes maiden, religious or professional names. "Other first or middle names used" include nicknames.

**Box 10:** Enter the applicant's date of birth in the DD/MM/YYYY format.

**Box 11:** Enter the applicant's city, country and state/province of birth. This information should match the person's passport. If it does not, you need to determine why it does not.

**Box 12:** Enter the applicant's country of nationality. Also indicate if the person holds any other nationality.

**Box 13:** Enter the applicant's sex.

**Box 14:** If the applicant has a National Identification Number in his/her home country, enter that number. If not, enter "None." This number is used by many countries for identifying their citizens, permanent residents and temporary residents for employment and government related benefits. In some countries, they issue an identification card.



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### Address and Phone Information

**Box 15:** Enter the applicant's current home address. For applicants extending a nonimmigrant visa, his/her current home address could be a U.S. address.

**Box 16:** Enter the applicant telephone numbers, as applicable. The Consulate officer may use these numbers to contact the applicant.

### Information on Marital Status

**Box 17:** Enter the applicant's marital status.

**Box 18:** Enter the applicant's spouse's full name, even if divorced or separated, including maiden name of the person. If the applicant is married, but has been divorced, just enter the name of the current spouse. If the applicant has been divorced more than once, just enter the name of the most recent spouse.

**Box 19:** Enter the date of birth of the person mentioned in Box 18 using the DD/MM/YYYY format.

### Employer or School Information

**Box 20:** Enter the name and address of the applicant's present employer or school.

**Box 21:** Enter the applicant's current occupation. If a student, enter "student."

**Box 22:** Enter the applicant's intended date of arrival. If the date is not yet determined, it can be estimated. Remember the consulate does not want an applicant to make commitments to travel to close to the interview. It usually will take three to five days to receive the passport from the consulate after the interview. Plan the date accordingly.

**Box 23:** Enter the applicant's preferred email address. The consulate may use this address to contact the applicant. Check the global address link of the personal email address to see if it is inconsistent with the application.

### Current Travel Information

**Box 24:** Enter the address where the applicant will stay in the United States. For a visitor, this could be a hotel address or address of the person they will be visiting. For a student or temporary worker who does not yet have a long-term address, this could be his/her initial destination and subsequent changes of address in the United States should be recorded by filing Form AR-11 with the USCIS by mail or electronically.

**Box 25:** Enter the name and telephone numbers of the person who the applicant will be staying with or visiting in the U.S. A consular officer may contact this person. If the applicant is associated with a company/organization, he/she should ask his/her contact at the company/organization who he/she should list on the application. The applicant should make sure the contact is familiar with the purpose and timing of his/her visit and the visa process.

**Box 26:** Enter the intended length of the trip. It should not exceed the time allowed by the visa category being requested.



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**Box 27:** The applicant should enter a brief description of the purpose of the trip. The purpose should match the visa category being requested. There should be no misrepresentation of the purpose. If the purpose does not match the visa, apply for a visa category that does.

**Box 28:** Enter the name of the person, company or organization who/that will be paying for the trip. If the applicant is paying, then enter "self."

**Box 29:** Indicate whether or not the applicant has been in the U.S. before. If "yes" then enter when and for how long. There is limited space so the applicant may have to use an attached page to list all the trips with the date of entry and the period of stay.

### Previous Travel Information

**Box 30:** Indicate whether or not the applicant has ever been issued a U.S. visa. A visa is not to be confused with status. So a Canadian for instance may have been granted F-1 status by the USCBP, but not an F-1 Visa by a U.S. Consulate. The applicant must enter in the space when and where, as well as what type of visa. There is limited space so the applicant may have to use an attached page to list all the visas ever issued, when, where and type of visa.

**Box 31:** Indicate whether or not the applicant has ever been refused a U.S. visa. This is not a refusal of admission or a withdrawn of an application for admission at a Port of Entry. A Section 221(g) visa refusal is a "yes" for this Box. The applicant has to identify when, where and the type of visa refused. There is limited space so the applicant may have to use an attached page to list all refusals. An explanation should be attached to the Form DS-156 to explain why the previous refusal/withdrawal should not prevent a visa issuance at this time.

### Intent Information

**Boxes 32 and 33:** The applicant has to indicate whether or not he/she is intending to work or study in the U.S. If the applicant is going to do so, then the name and address of the employer or school have to be indicated. A visitor on B-1/B-2 status is not supposed to work or attend school. If the applicant tries to change status to an F-1 student once in the U.S. the USCIS will most likely deny the request unless the U.S. consular officer noted on the visa that the person was a "prospective student." If the applicant is going to be working in the U.S., then the application should be for visa that allows employment.

**Box 34:** The applicant must enter the names and relationships of people traveling with him/her. This information may lead to questions by the consulate officer as to the true intent of the trip. For instance, if the person is traveling with a U.S. citizen spouse the officer should question the intent of the person to return to his/her home country after the visit.

**Box 35:** The applicant must indicate whether or not a U.S. visa has ever been cancelled or revoked.

**Box 36:** The applicant must indicate whether or not anyone, (person or entity), has filed an immigrant visa petition on his/her behalf. A visa immigrant petition is not a petition for a non-immigrant classification or a Labor Certification Application. The fact that an immigrant visa petition has been filed does not mean the visa application will be denied.



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**Box 37:** The applicant must indicate whether or not his/her spouse, father, mother, fiancé(e), son/daughter or brother/sister are in the U.S. or are U.S. citizens or permanent residents. If the relative/fiancé(e) is in the U.S then the status of the person has to be indicated. A full explanation should be given on an attachment to the form DS-156.

### Security and Background Information

**Box 38:** The applicant must answer all the questions. If the applicant is unsure that the answer is “yes” then the answer could be “no” with an explanation.

The applicant should be aware of what the term “arrest” means. It is less than being fingerprinted and “booked.”

The question regarding violating export controls is complex. The applicant should read the following information:

- [http://www.pmdtc.state.gov/regulations\\_laws/itar.html](http://www.pmdtc.state.gov/regulations_laws/itar.html)
- <http://www.bis.doc.gov/deemedexports/deemedexportsfaqs.html#3>

If there is any question about these laws being applicable, the applicant should seek competent legal advice.

The question about violating the terms of a U.S. visa or being unlawfully present in the U.S. covers any activity not allowed by his/her previous status or overstaying a previous visit.

It is important to know that if one of these questions is answered “yes” the answer usually will require additional processing by the consular officer.

### Preparation and Certification

**Boxes 39 and 40:** The applicant must indicate if the form has been prepared by another person, the relationship to the applicant and address. The preparer must sign the form. If an attorney has **reviewed** the answers to the form, the attorney’s information should be included in the form and should be signed by the attorney.

**Box 41:** The applicant must sign the form certifying that all the questions have been understood and the answers are true and correct to the best of his/her ability. If the applicant is under the age of 16 or physically incapable of completing the application then a parent or authorized representative may sign the form for the applicant.

To make a misrepresentation on the form may result in a more severe penalty than the answer would have produced. It could lead to a permanent refusal of a visa or denial of entry into the U.S.

The applicant also certifies that he/she realizes that the issuance of a visa does not automatically entitle the applicant to enter the U.S. upon arrival at a Port of Entry.

*Joel Paget is an attorney in Ryan, Swanson & Cleveland, PLLC’s Immigration Group. Joel can be reached at 206.654.2215 or [paget@ryanlaw.com](mailto:paget@ryanlaw.com). This message has been sent to by the Immigration Group at Ryan, Swanson & Cleveland, PLLC to advise you of recent developments in the law. Because each situation is different, this information is intended for general information purposes only and is not intended to provide legal advice on any specific facts and circumstances. Ryan, Swanson & Cleveland, PLLC is a full-service law firm located in Seattle, Washington.*



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