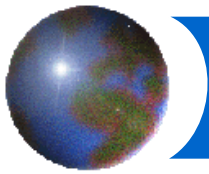


Travel and Re-entry into the U.S.
A workshop for International Students and
Scholars

Presented by
International Student & Scholar Services

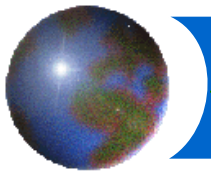
April 22, 2010



What is a Nonimmigrant Visa(NIV?)

- ⊕ A visa is a —permit which allows a foreign national to board a conveyance and present him or herself for inspection at a port of entry (POE.) It does not guarantee admission to the US.
- ⊕ It is a colored, digital, machine readable, decal affixed to the FN's passport.
- ⊕ It is valid for one, several, or multiple (M) entries.
- ⊕ It is valid for a particular period of time (does NOT govern period of admission to US).
- ⊕ It may contain notations, eg, —“Visiting student for two weeks,” “name not found in CLASS,” “visa waiver granted,” “prospective student.”
- ⊕ Regulations governing NIV's: 22 CFR 41

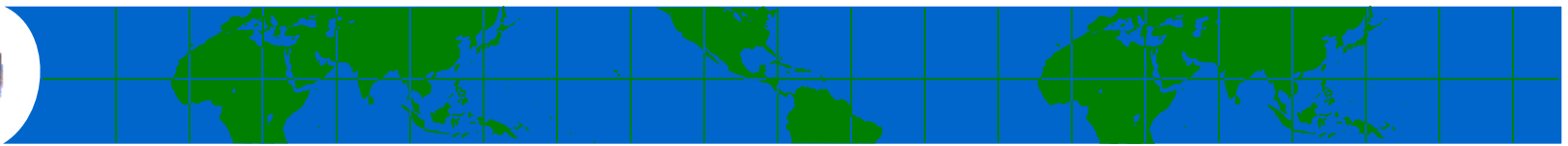
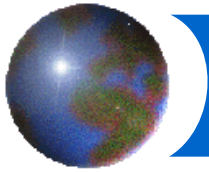




Visa Types at Florida Tech

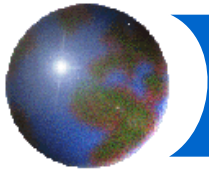
✦ **F-1 Student Visa:**

- ✦ The F-1 Visa (Academic Student) allows you to enter the United States as a full-time student at an accredited college, university, seminary, conservatory, academic high school, elementary school, or other academic institution or in a language training program. You must be enrolled in a program or course of study that culminates in a degree, diploma, or certificate and your school must be authorized by the U.S. government to accept international students.



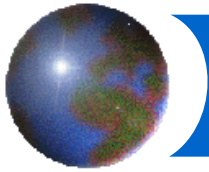
J-1 Exchange Visitors Visa

- ✦ The exchange visitor (J) nonimmigrant visa category is provided for persons who are approved to participate in exchange visitor programs in the U.S., under provisions of U.S. immigration law. This means that before you can apply at a U.S. Embassy or Consulate for a J visa, you must first apply, meet the requirements, and be accepted for one of the Exchange Visitor Program categories through a designated sponsoring organization.



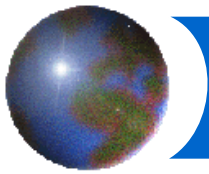
M-1 Visa

- ✿ The M-1 student visa is a nonimmigrant visa which allows foreign students wishing to pursue vocational or non-academic studies, other than language training, to enter into the U.S.



H-1 Visa

- ✚ The H-1B visa program is used by some U.S. employers to employ foreign workers in specialty occupations that require theoretical or technical expertise in a specialized field and a bachelor's degree or its equivalent.



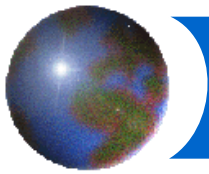
Travel within the U.S.

Law and immigration enforcement agents may randomly stop and question you during routine activities such as driving in your car or waiting for a bus at a bus station.

Be prepared:

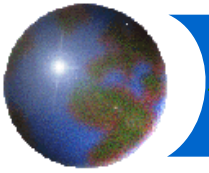
- ✦ Carry original passport and visa documents (I-20/DS-2019 and I-94 card)
- ✦ Carry your University ID card

**Don't be caught without
proper identification & documentation.**

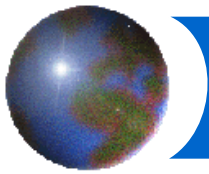


Traveling Beyond North America

- ✦ Passport—[valid](#) 6 months beyond your date of re-entry
- ✦ Valid U.S. Visa
- ✦ I-94 card— Be sure to surrender your I-94 card when you exit. You will receive a new I-94 card if you are re-entering the US.
(failure to do so may effect your eligibility to re-enter the U.S.)
- ✦ Valid, accurate I-20 or DS-2019 with current travel signature
- ✦ Be sure to check the [US Department of State Travel Advisories](#)

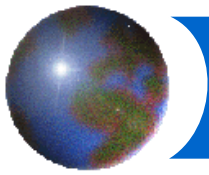


**If you plan to travel, COME TO THE
ISSS OFFICE
AT LEAST 2 WEEKS IN ADVANCE.
DO NOT WAIT
UNTIL THE LAST MINUTE.**



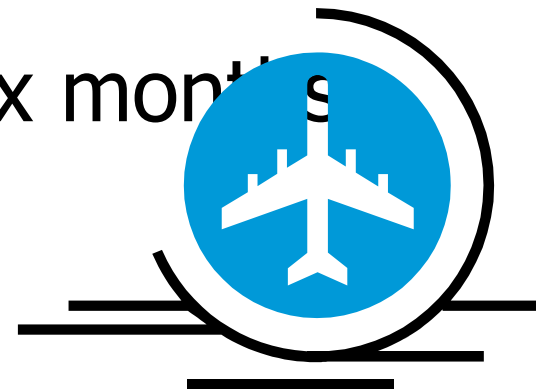
Travel Signatures

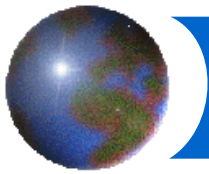
- ▲ In order to obtain a travel signature, you must be in legal immigration status:
 - Registered appropriately
 - Have valid I-20 or DS-2019
 - Have not engaged in unauthorized employment
 - Have reported all changes to program of study and changes of address
 - Must have a current "continued attendance" I-20*/DS-2019
 - *if you have an "initial attendance" or "transfer pending" I-20, a new I-20 will be issued to you
- ▲ A travel signature is valid for 6 months for "F" visa holders
- ▲ "J" visa holders travel signatures are valid for 1 year
- ▲ "M" visa holders travel signatures are valid for 6 months
- ▲ If you have any concerns about your documents, please ASK.
Don't get caught without proper documentation.



What do you need to re-enter the U.S.?

- ✦ A valid endorsed I-20 with a signature no more than 6 months old
- ✦ Valid endorsed DS 2019 with signature no more than one year old
- ✦ A valid passport (at least six months into the future)
- ✦ A valid visa
- ✦ A valid I-94





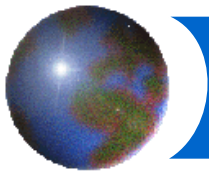
U.S. VISIT: Entry Procedures

U.S. Visitor and Immigration Status Indicator Technology (US-VISIT) is a system for keeping records of the entry of non-immigrants traveling to the United States.

Under US-VISIT Entry procedures,

- ✦ Your passport and visa documents (including I-94, I-20/DS2019) will be reviewed
- ✦ An inkless finger-scanning of your left & right index finger will be conducted
- ✦ A digital photograph will be taken
- ✦ You may be questioned about your visit to the U.S.

An entry confirmation will be added to your travel records to demonstrate compliance with the terms of your admission and to verify that you are the same person who received the visa you are utilizing to travel and enter the United States.



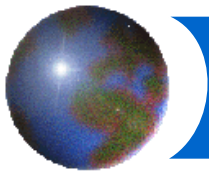
Dependent Travel

Dependents in F-2/J-2/M-2/H status:

- ✦ Should carry documents in their carry-on while traveling:
 - Valid passport
 - Valid 1-20/DS-2019

- ✦ Are not required to travel with the primary visa holder

- ✦ May remain in the U.S. without the primary as long as the primary maintains his/her current status and will return after a temporary absence (no more than 30 days)



I-94 Card

On the airplane, train, or ship/ at the border:

An I-94 card is required to re-enter the U.S.

Departure Number

Admission Number → 375405726 05

★ Date of Entry → APR 18 2000

Immigration and Naturalization Service

I-94 Departure Record

★ Length of Stay → FI

ADMITTED UNTIL

PH

Family Name

Name (last and first) → First (Given) Name

16. Birth Date (Day/Mo/Yr)

17. Country of Citizenship

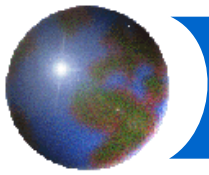
See Other Side

ENGLISH Date of Birth HERE

Non-Immigrant Status ★

The immigration officer will stamp your I-94 card and note:

- Your non-immigrant status (be sure that it is correct)
- The date of your entry
- The authorized period you may stay in the U.S. (D/S)
(Duration of Status)



Traveling & Re-Applying for a U.S. Visa

If you plan to travel outside the US and your visa is expired, you will be required to obtain a new visa in order to re-enter the US.

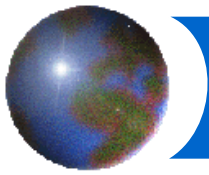
Visa renewals should be applied for at the U.S. Consulate in your home country. It is recommended that you schedule a visa appointment well in advance and prior to exiting the US. Be sure to check [visa appointment waiting times](#) at the consulate prior to traveling. Also, be sure to check the hours of operation as Consulates may close temporarily for breaks or holidays.

U.S. Department of State visa information sheets are available online.

✦ [F-1 and M-1 students](#)

✦ [J-1 exchange visitors](#)

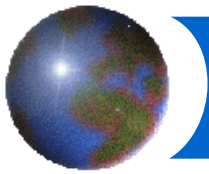
✦ Procedures for visa applications at a specific foreign U.S. consulate can be obtained by selecting the appropriate embassy from the [embassy list](#).



Visa Renewal - continued

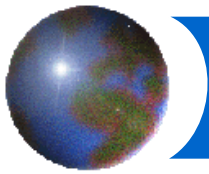
In addition to the required paperwork needed at a specific foreign U.S. consulate (information can be obtained by selecting the appropriate embassy from the [embassy list](#)), you should also get an [Enrollment Letter](#) from the ISSS Office.

If visa processing delays will interfere with your ability to resume your studies, it is advisable to cancel your travel plans since you may remain in the U.S. with an expired visa as long as you are maintaining your non-immigrant status.



What you need for a Visa renewal

- ✦ **An unexpired and valid, signed I-20 or DS-2019**
- ✦ **A valid passport**
- ✦ **An interview at the U.S. embassy in your home country**
- ✦ **Proof of ties to your home country**
- ✦ **Proof of payment of the visa fee**
- ✦ **Financial documents**
- ✦ **Photo requirements**
- ✦ **Completed Nonimmigrant Visa applications forms DS 156 and 158. If filing for dependent children, a separate form is required.**
- ✦ **Spouse and children's visa applications require proof of the relationship**
- ✦ **Students in Optional Practical training must provide their Employment Authorization Document (EAD)**
- ✦ **Your current transcripts**
- ✦ **A verification of enrollment letter from ISSS**
- ✦ **A copy of your registration receipt if enrolled for the upcoming semester**
- ✦ **A Florida Tech ID card**

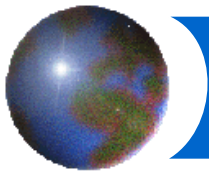


VISA APPOINTMENTS:

It is recommended that you schedule a visa appointment well in advance by checking the [visa appointment waiting times](#) at the consulate.

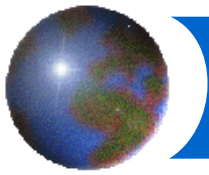
Also be sure to check their hours of operation as Consulates may close temporarily for breaks or holidays.





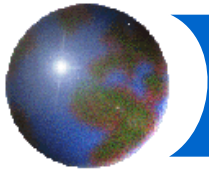
Start the process early....

- ⊕ Holiday periods and the summer vacation period are extremely busy times at visa issuing posts
- ⊕ In the event of any protests, threats, or terrorist attacks posts may temporarily close or alter their operational hours.
- ⊕ State Department Info Sheets:
http://travel.state.gov/visa/tempvisitors_types_students2.html for F-1
http://travel.state.gov/visa/tempvisitors_types_scholars.html for J-1



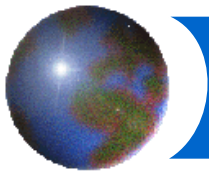
Visa Applicant must

- Be eligible for classification sought
- Overcome the presumption of “immigrant intent”
- Be admissible to the U.S.
- Not be barred from returning to U.S. for Unlawful Presence
- Have a machine-readable passport valid for at least 6 months into the future
- Apply for the visa in a timely fashion
- Follow the application procedures, which vary by post



Applying for the Visa

- ✦ http://travel.state.gov/visa/visa_1750.html
- ✦ NOTE: Dependents of F, J, M, H visa holders must apply for their own appropriate visa.
- ✦ **It is YOUR responsibility to make sure that you are issued the correct visa type before you leave the embassy/consulate.**



Security Policies

Individuals who are citizens of certain countries or with certain backgrounds may be subject to special security clearances that will lengthen the visa application processing time.

✦ Security Check and [Special Registration](#)

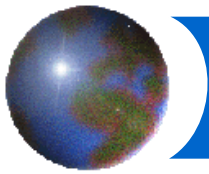
Individuals from countries identified by the U.S. Department of State as being state sponsors of terrorism or perceived to have nuclear capability. (Cuba, Libya, Iran, Iraq, North Korea, Sudan, Syria)

✦ Background Check

If you have ever been arrested, or if you have a name that is the same as or similar to someone who has been arrested

✦ [Technology Alert List](#) (TAL)

Individuals who are considered to be majoring/working in “sensitive areas of study” as determined by the U.S. government (e.g., physics; nuclear, bio, & chemical technology; among others) or from countries perceived to pose national security threats or nuclear capability (China, India, Israel, Pakistan, and Russia) may be subject to background delays; these delays could take several months to resolve.



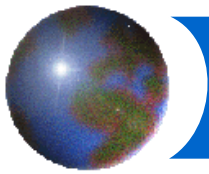
NSEERS

If you are subject to special registration procedures, it is your responsibility to make certain that your entry and departure is documented by a U.S. Customs and Border Protection (USCBP) inspecting officer, every time you leave and re-enter the U.S.. This may add a significant amount of time onto departure so please plan accordingly.

You are required to report your departure from the U.S. by appearing before a USCBP inspecting officer:

- ✦ at an approved port
- ✦ on the same day that you leave the U.S.

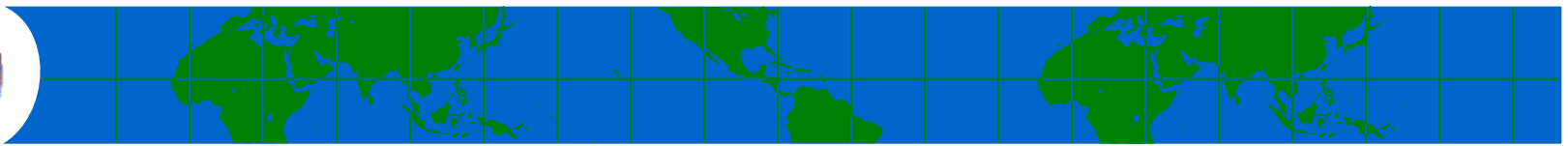
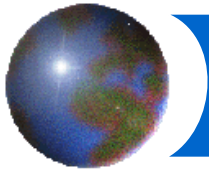
Failure to follow the proper registration procedure could result in your being permanently barred from entering the U.S..



NSEERS continued

Further security checks after initial immigration inspection are typically required for:

- ✦ Certain citizens or nationals of Iran, Iraq, Libya, Sudan and Syria, as designated by the DHA Secretary in the Federal Register.
- ✦ Males age 16-45 from Afghanistan, Algeria, Bahrain, Bangladesh, Djibouti, Egypt, Eritrea, Indonesia, Jordan, Kuwait, Lebanon, Libya, Malaysia, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Somalia, Tunisia, the United Arab Emirates, and Yemen
- ✦ Foreign nationals of any country may be asked by a U.S. Customs and Border Protection (USCBP) officer to undergo Special Registration if they feel they may be a national security threat



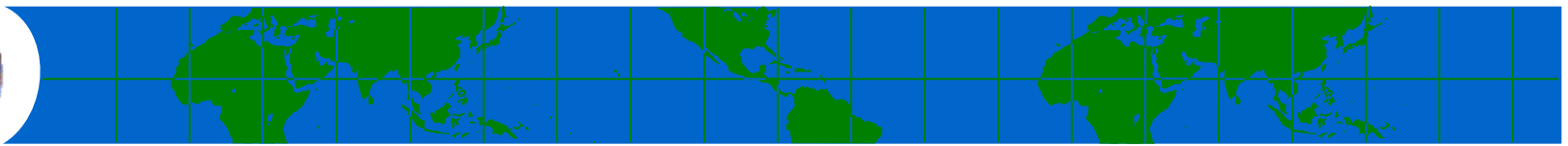
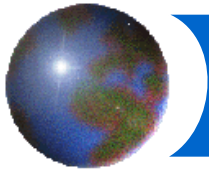
VISA DENIALS

- ✦ To qualify for a visitor or student visa, an applicant must meet the requirements of sections 101(a)(15)(B) or (F) of the INA respectively. Failure to do so will result in a refusal of a visa under INA 214(b). The most frequent basis for such a refusal concerns the requirement that the prospective visitor or student possess a residence abroad he/she has no intention of abandoning. Applicants prove the existence of such residence by demonstrating that they have ties abroad that would compel them to leave the U.S. at the end of the temporary stay.

✦ **NOTE:** The law places this burden of proof on the applicant.

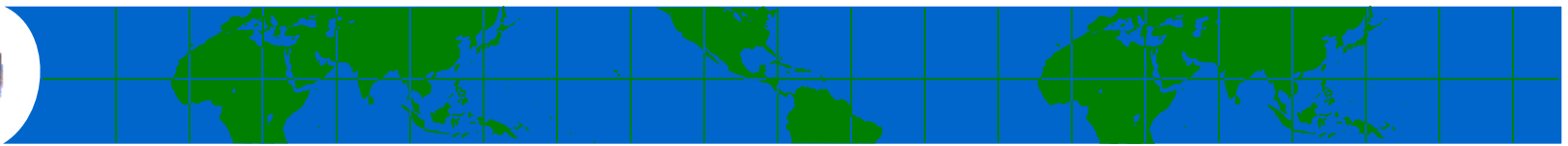
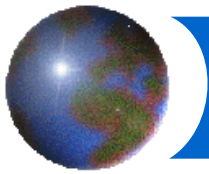
- ✦ FURTHER INFORMATION:

http://travel.state.gov/visa/frvi/denials/denials_1361.html



DELAYS:

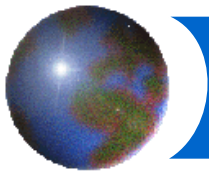
- ✦ **If it appears that visa processing delays will interfere with your ability to begin your program, contact the appropriate office with which you will be studying/working. In most cases, new immigration documents will need to be secured.**
- ✦ **If you are engaged in research at Florida Tech, make sure that you carry a brief concise letter from your faculty sponsor describing the nature of your research.**
- ✦ **Refer to ISSS's “[Visa Delays and DOS Security Clearances](#)” for further information.**



Contact ISSS immediately

If you encounter a visa delay

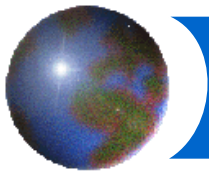
- ✦ ISSS will put through a “visa inquiry” with DOS on your behalf. In order to do so, be prepared to provide us with the following info:
 - Consular office involved (location)
 - The dates of your visa interview/s
 - Correspondence you have received from the U.S. embassy
- ✦ We will advise you on your best options regarding
 - ▣ withdrawal from Florida Tech and/or SEVIS
 - ▣ returning to the U.S.



Admissibility—

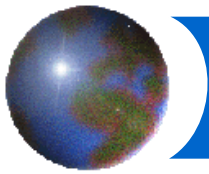
Common grounds of inadmissibility are:

- ✪ Criminal conviction or activity. INA 212(a)(2)
- ✪ Terrorist activity. INA 212(a)(3)
- ✪ 3/10 year bars (prior —unlawful presence.|| INA 212(a)(9)
- ✪ Intending immigrant. INA 212(a) (5), (7)
- ✪ Prior misrepresentation. INA 212(a) (6)(C)
- ✪ Prior removal or deportation. INA 212(a)(9)
- ✪ Certain medical conditions, eg, TB. INA 212(a)(1)
- ✪ Most grounds are listed, generally, at Sec. 212(a) of INA.



Admissibility, continued...

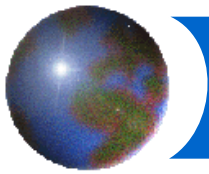
- ⊕ All applicants are screened, regardless of nationality
- ⊕ Misspelling of name on ALL documents– passport, I-20/DS 2109, Visa Application INCONSISTENCY
- ⊕ Applicant has not followed tips and guidance shown on the ISSS and U.S. consular post website
<http://www.fit.edu/issv/visa.php>
- ⊕ Applicant is from a country considered to pose a risk, or student is studying a field that is considered “sensitive”
- ⊕ There are other individuals with the same or similar names – the Consulate is required to rule out any “hits” the Consular Lookout (CLASS) system reveals
- ⊕ An SAO (security advisory opinion) may be required– usually completed within 30 days



Secondary Inspection:

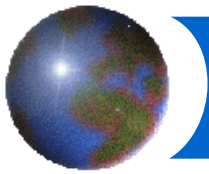
What Is It and What Can You Expect

- ✚ Allows the officer to:
 - question a traveler further;
 - examine baggage thoroughly;
 - complete more extensive database checks;
 - confirm a traveler's status;
 - verify intent.



Deferred Inspection Site Additional Services

- ✦ Available to review and issue documents to remedy errors
 - ✦ Recorded on arrival documents issued at the time of entry
- ✦ Relating to:
 - ✦ improper non-immigrant classification
 - ✦ inaccurate biographical information
 - ✦ incorrect period of admission
 - ✦ Regardless of where the actual document was issued.
- ✦ Deferred inspection can result in admission or removal or anything in between



Travel to Canada, Mexico, & Adjacent Islands

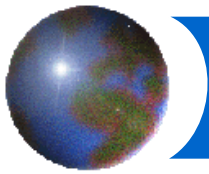
- ✦ Passport—valid 6 months beyond your date of re-entry
- ✦ U.S. visa and I-94 card

valid, accurate I-20 or DS-2019 with current travel signature



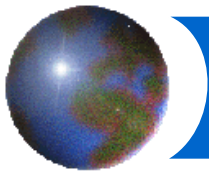
What if I have an expired visa and would like to travel to Canada, Mexico or the Caribbean?

You might be able to, providing.....



Automatic Extension of Visa Validity

- ✦ 22 CFR 41.112(d).
- ✦ Foreign national returning to US to *resume valid nonimmigrant status*.
- ✦ Trip of 30 days or less to contiguous territory.
- ✦ Expired visa in ANY category in passport.
- ✦ All appropriate evidence of entitlement to NIV category (signed I 20, etc) and original I 94.
- ✦ Not inadmissible except for lack of visa, unless ground waived.
- ✦ Not national of Sudan, Iran, N. Korea, Cuba, Syria.
- ✦ Fs, Js: Canada, Mexico, all Caribbean islands except Cuba.
- ✦ All others: just Canada and Mexico.
- ✦ Forbidden if applied for visa outside US.
- ✦ ISSS will provide a copy of the regulation and letter of explanation for POE.



Travel to Canada, Mexico, & Adjacent Islands

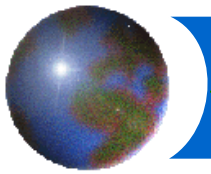
If you are exiting the U.S. and traveling to Canada, Mexico, or Adjacent Islands and you:

- ✦ are not an individual seeking a visa renewal;
- ✦ have maintained your lawful non-immigrant status in the U.S.; and
- ✦ intend to resume that status upon your return

you should keep your I-94 card provided it is valid beyond the time of expected return to the United States.

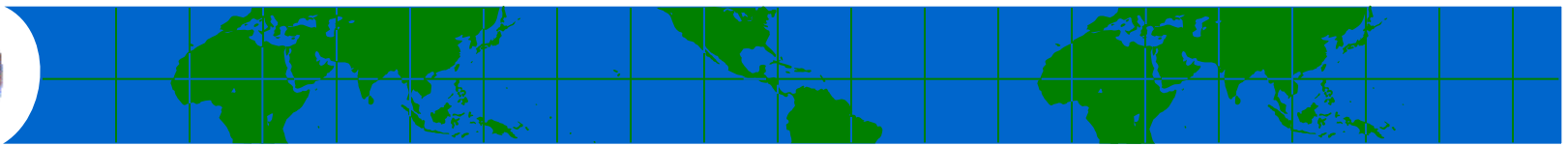
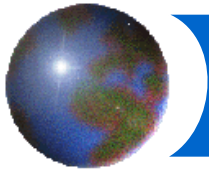
If you were previously required to do special registration and:

- ✦ **Exit and re-enter the U.S. by land:**
Stop on the U.S. side of the border at Customs and Border Protection to complete your registration procedure
- ✦ **Exit and re-enter the U.S. by air or sea:**
Complete the exit procedure at an approved U.S. [departure port](#)



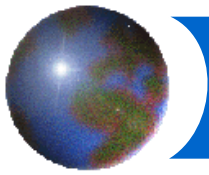
VISA APPLICATIONS IN CANADA OR MEXICO

- ✚ Any non-immigrant who chooses to apply for a new visa while in Canada or Mexico or the Caribbean (but is not a citizen of either of those two countries) and whose visa application is subsequently denied **will not be permitted to re-enter the United States.**
- ✚ So, consider this matter carefully



I Forgot to turn in my I-94 card

- ✦ If you failed to turn in your I-94 Departure Record, please send it, along with any documentation that proves you left the United States to:
 - DHS - CBP SBU
 - 1084 South Laurel Road
 - London, KY 40744
- ✦ This address is the ONLY address that can make the necessary corrections to CBP records to prevent inconvenience to you in the future.
- ✦ To have your departure validated, you need to send:
 - Your I-94 card
 - Original boarding passes you used to depart the US;
 - Photocopies of entry or departure stamps in your passport indicating entry to another country after you departed the United States (you should copy all passport pages that are not completely blank, and include the biographical page containing your photograph); and
 - Photocopies of other supporting evidence, such as:
 - Dated pay slips or vouchers from your employer to indicate you worked in another country after you departed the United States,
 - Dated bank records showing transactions to indicate you were in another country after you left the United States,
 - School records showing attendance at a school outside the United States to indicate you were in another country after you left the United States, and
 - Dated credit card receipts showing your name (but make sure that the credit card number is deleted), for purchases made after you left the United States to indicate you were in another country after leaving the United States.
- ✦ *DHS reserves the right to ask for further proof if they deem necessary.



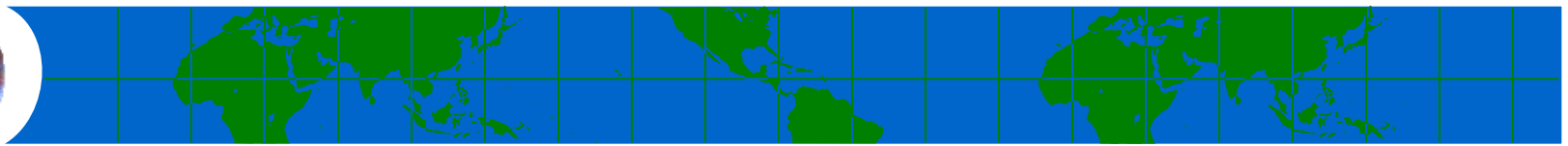
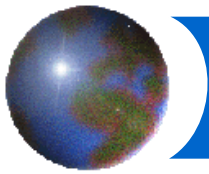
Travel Documents – remember!

⤴ **If you're travelling, additional visas may be necessary**

- Some individuals visiting countries they are not citizens of must obtain a visa indicating the nature of their visit
- Some individuals "transiting" into a country because travel requires an intermediate stop in a third country may be required to obtain Transit Visas prior to traveling
 - Transit visas are commonly needed for travel through Europe

Please consult the embassy of the country you are visiting or travel through to determine if any visa(s) are necessary.

<http://www.usembassy.gov/>



Re-Entry Issues

If the immigration officer reviewing your documents:

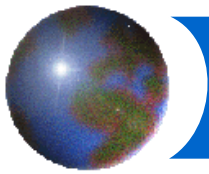
- ▲ Does not stamp your I-94 card or new I-20
- ▲ Improperly marks your I-94 card or new I-20

politely inform the officer of this and ask for assistance.

If the officer will not correct the issue, bring your documents to the ISSS Office when you return to campus.

After meeting with an advisor, you may be able to obtain the proper markings from an immigration officer at either:

- ▲ The airport at which you entered, or a
- ▲ Customs and Border Protection Office in Orlando



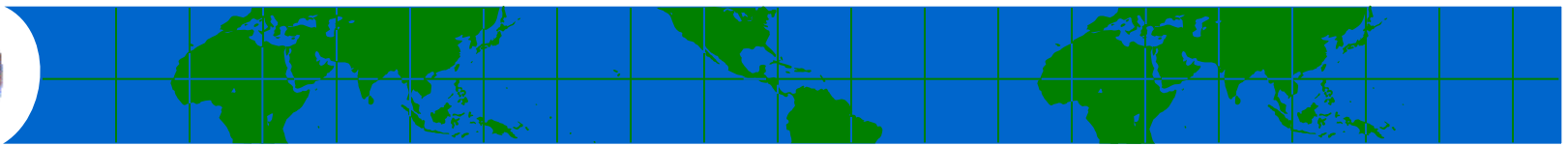
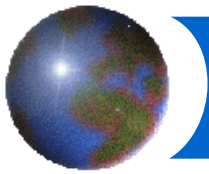
Re-Entry Issues (continued)

If there is a problem with your immigration documents, the immigration officer may give you a Form I-515A granting you lawful admission to the U.S. for 30 days and eligibility for all of the benefits associated with your status.

Within those 30 days you must comply with all Form I-515A requirements. Meet with the ISSS Office for proper documentation and then send all information required to the address on the back of the form. This almost always means:

- ▲ Completed Form I-515A
- ▲ Your original I-20/DS-2019 signed by ISSS
- ▲ Your original I-94 card

You cannot travel again until you receive your paperwork back from the Department of Homeland Security. **Failure to comply with requirements will jeopardize your immigration status.**



Post-Completion Travel Advisories

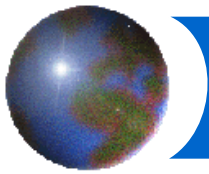
After completing an F-1 program you have 60 days to prepare to depart the U.S.;

if you have completed an M-1 or J-1 program you have 30 days to prepare to depart the U.S.

Travel and re-entry is permitted during the exit grace period if:

- ▲ You have been accepted into a new program of study (e.g., Master's, Ph. D.) and received an I-20/DS-2019 for the program from the college
- ▲ You have received (F-1) or (M-1) Optional Practical Training or (J-1) Academic Training Approval
- ▲ You have received a new visa for re-entry (e.g., B-2 tourist)





F-1: Post-Completion OPT Travel

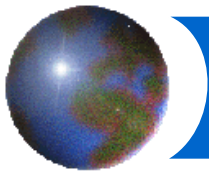
If OPT has been approved, also travel with the following documents:

- ✦ New, valid I-20 endorsed for OPT
- ✦ travel signature from last 6 months
- ✦ Valid F-1 or M-1 visa
- ✦ Employment Authorization Card (EAD Card)
- ✦ Letter from your employer verifying your employment status

If OPT approval is pending, travel is not advised.

If you chose to disregard this recommendation and travel, you must also carry the following documents:

- ✦ New, valid I-20 endorsed for OPT
- ✦ Advisor's travel signature from last 6 months
- ✦ Valid F-1 or M-1 visa
- ✦ USCIS Service Center Receipt of OPT application
- ✦ Letter from a U.S. employer indicating a job offer if you have received one

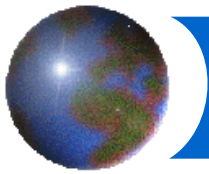


J-1: Post-Completion Academic Training

If you plan to leave the U.S. after you complete your program of study and re-enter the country for J-1 academic training, you must apply for work authorization with your RO/ARO prior to exiting the US.

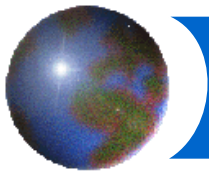
To re-enter the U.S. in J-1 student status, you must have:

- ⤴ Valid DS-2019
- ⤴ Advisor's travel signature from last 6 months
- ⤴ Valid J-1 visa
- ⤴ A valid passport
- ⤴ A valid Academic Training Authorization Letter



Reminders and Travel Updates

- ✦ The International Student & Scholar Services Office strongly recommends that you attend a travel workshop prior to departing the U.S. since immigration regulations change frequently
- ✦ If you renewed your PASSPORT while traveling, please submit a copy of the new passport upon your return
- ✦ Be sure to keep all immigration documents together in a safe place
- ✦ Be aware of immigration document expiration dates and plan ahead to have them renewed or updated
- ✦ **ALWAYS ASK THE ISSS OFFICE IF YOU HAVE ANY QUESTIONS!**



Further Resources:

✦ http://www.ice.gov/sevis/travel/faq_f.htm

✦ <http://usembassy.state.gov>

✦ <http://travel.state.gov>

✦ www.fit.edu/iss