

OIPNEWS TRAVEL INFORMATION: APPLYING FOR A NEW U.S. VISA ABROAD

INTRODUCTION

Has your U.S. visa stamp inside your passport expired? If it is still valid, is it for multiple entry, or has the entry been used up? Finally, is the category for which the visa was issued the status you currently hold (for example, if your visa is F-2, are you currently in F-2 status or did that status change after you entered the United States).

Any student who is traveling outside the United States whose U.S. visa has expired or for whom the status has changed will need to apply for a new visa at a U.S. visa issuing post abroad before the student can return to the United States. In most cases, the visa application will be filed in your home country. Appointments are now required for virtually all non-immigrant visa applications. This has resulted in significant delays at some U.S. visa issuing posts abroad, especially during holiday periods and summer.

Graduate students who are majoring in the hard sciences, engineering, or computer science are likely to encounter additional delays due to security clearance issues. You are urged to check with the U.S. consulate or embassy where you will apply for the visa, or its web site link: http://travel.state.gov/travel/abroad_embassies.html BEFORE leaving the United States to determine that particular post's policies and procedures. For information on waiting times for student visa appointments at embassies and consulates world-wide, visit the following link: http://travel.state.gov/visa/tempvisitors_wait.php

You should start the visa process at the earliest possible time upon your arrival back in your home country.

It's important to note that holiday periods and the summer vacation period are extremely busy times at visa issuing posts due to the large numbers of travelers and reduced staff who may be taking vacation. Also, in the event of any protests, threats, or terrorist attacks that are judged to be threatening to U.S. embassy or consulate personnel, government officials at those posts may temporarily close or alter their operational hours.

The State Department has also prepared an information sheet about student visas on its web site which may be useful to you as an international student. It may be obtained at:

http://travel.state.gov/visa/tempvisitors_types_students2.html for F-1

SECURITY CHECKS AND SPECIAL REGISTRATION

Individuals from Cuba, Iran, Libya, North Korea, Sudan and Syria, both male and female, will not be eligible to obtain a new non-immigrant visa unless it can be determined that the individual does not pose a security threat. Such individuals will undergo a security check that will lengthen the processing time for their visa applications.

Males between the ages of 16 and 45 from Afghanistan, Algeria, Bahrain, Bangladesh, Djibouti, Egypt, Eritrea, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Malaysia, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, the United Arab Emirates and Yemen who will need to renew their U.S. visas while abroad may be required to undergo security checks that will lengthen the processing time for their visa applications.

These same individuals may be subject to "special registration" upon their return to the United States. Individuals subject to "special registration" are fingerprinted, photographed and questioned under oath upon entry into the United States and must go through a special exit procedure prior to any departure from the United States. This list of countries can be expanded at anytime with the publication of additional countries in the Federal Register.

BACKGROUND CHECKS:

Since the attacks of September 11, 2001, there has been an increase in the number of criminal background checks done for all visa applicants. State Department consular posts use a computer program called the Consular Lookout and Support System (CLASS) to check names and visa eligibility of all visa and passport applicants.

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, the record will need to be cleared before a visa can be issued. This process can take as long as six to eight weeks, or longer.

TECHNOLOGY ALERT LIST AND SENSITIVE AREAS OF STUDY

Students who are considered to be majoring in "sensitive areas of study" as determined by the U.S. government may also be required to undergo security clearances before a visa can be issued.

There is a document called the "Technology Alert List" that visa officers consult for this purpose.

China, India, Israel, Pakistan and Russia have received special mention by the U.S. State Department in the context of this list because these countries are considered to possess nuclear capability that is of concern to U.S. national security.

But even if you are not a citizen of one of the countries listed above, your field of study (especially if you are a doctoral student majoring in the sciences, technology, computer science or engineering) might require your visa application to undergo a security clearance REGARDLESS of the country you are from. The State Department recently announced that these clearances are now taking as little as fourteen days to review. Once granted, the clearance will be valid for the duration of a student's study, to a maximum of four years. There are fifteen broad subject areas listed on the Technology Alert List, with detailed specializations within each broad area.

It is strongly recommended that if your field of study is "sensitive," you should obtain a letter from your faculty advisor that explains the nature of your studies and/or your research. The letter should be written using language that is easy to understand, and should not exceed the front of one page.

If you find that your visa application is delayed due a need for the consulate or embassy to send your file for review for any of the reasons listed above, please notify OIP by e-mail, fax or telephone of the situation.

SEVIS REQUIREMENTS AND THE FEDERAL SEVIS FEE

Visa officials are required to verify your record in the SEVIS system before a visa can be approved. This is also true for any dependents. Two years ago, there were data transfer problems of some SEVIS records between the Department of Homeland Security and the Department of State that resulted in lost information, but most of these problems have been resolved. If the visa official is unable to access your record in SEVIS and you have a SEVIS I-20, please contact OIP by e-mail, phone or fax to alert us to the problem.

Please note that continuing F-1 students are not required to pay the Federal SEVIS fee, although some embassies and consulates have incorrectly requested proof of SEVIS fee payment from continuing students when applying for a new visa. If you have requested a letter of certification from OIP and have indicated that you are traveling to apply for a new visa, the letter will contain information regarding the SEVIS fee. In the rare event that you are asked to show proof of SEVIS fee payment and you are a continuing student, contact OIP by e-mail, fax or telephone. We will want to know the date and location of your visa interview. We will verify your records and then provide you with information to present to the visa official, showing that the SEVIS fee is not required.

VISA APPLICATION REQUIREMENTS

To apply for a new visa, you will need to complete application form DS-156 "Non-Immigrant Visa Application" and DS-158 "Contact Information and Work History for Non-Immigrant Visa Applicant." If you are male, you must also complete the DS-157, the "Supplemental Non-Immigrant Visa Application." Note that consular officers reserve the right to require a DS-157 from any applicant for any visa classification. You may download for DS-156 at: <http://evisaforms.state.gov/> These forms are also available as paper copies at any U.S. visa issuing post abroad.

Your passport must be valid for at least six months after the date on which you plan to return to the United States. You will also need one photograph 1 and 1/2 inches square, showing full face, without head covering, against a light background. You will need to have sufficient currency to pay the required visa fees, or a receipt showing that you have paid the visa fees. You will need your SEVIS I-20 or DS-2019 form. You will want to have a letter of certification from OIP, verifying your enrollment as well as the fact that you have been maintaining valid (F-1) status. If you have previously paid the Federal SEVIS fee due to having an initial entry I-20 with a start date on or after September 2004, or a reinstatement I-20, have the SEVIS fee receipt with you.

You will also need to show proof of financial support, binding ties to your home country which you have no intentions of abandoning, and that you plan to return to your home country upon the conclusion of your studies. Some U.S. consulates will ask you how you plan to use your U.S. education in your home country. Most consulates will ask you to present copies of your academic transcripts to prove that you have been maintaining student status in the United States and that you have been making satisfactory progress in your program. If you are on optional practical training, you will need to present your EAD card and have a letter from your employer, verifying that you are currently employed, your job title and description of duties, and that you are returning to the United States to resume employment.

U.S. visa posts abroad have implemented new biometric requirements for visa issuance. You should expect to have your index fingers scanned and a digital photograph taken as part of the visa process.

VISA APPLICATIONS IN CANADA OR MEXICO

In 2002, the U.S. State Department announced new rules that any non-immigrant who chooses to apply for a new visa while in Canada or Mexico (but is not a citizen of either of those two countries) will no longer be eligible for the "automatic revalidation" benefit during the course of that trip, but will have to wait until the visa is approved in order to re-enter the United States. If the U.S. visa application is denied, that individual will not be permitted to re-enter the United States, and will instead have to return to his or her home country. So, international students should consider this matter carefully when applying for a U.S. visa in Canada or Mexico.

Individuals from Cuba, Iran, Libya, North Korea, Sudan and Syria are not be eligible to obtain a new non-immigrant visa in either Canada or Mexico.

DOCUMENTS YOU WILL NEED TO APPLY FOR A NEW F-1 VISA

___SEVIS I-20

If you will need to apply for a new visa, check the front of your most recently issued I-20 carefully to be sure the field of study, level of study, and source of funds are still correct. If you will need a new I-20, you must provide updated proof of financial support, unless current information is already on file. Allow five (5) working days (one week) for the Office of International Programs to prepare new visa documents for you.

___PASSPORT

Check the expiration date of your passport. If traveling abroad, your passport **MUST** be valid at least six months into the future upon your return to the United States. Passports may be renewed at your country's embassy or consulate in the United States, or in your home country. The Office of International Programs has a directory of all foreign consulates and embassies, with addresses and phone numbers, for your reference. Or, if you have access to the world wide web, you can obtain up-to-date information on passport renewal. Point your web browser to <http://www.embassy.org/embassies/>

___LETTER OF CERTIFICATION

This is a letter issued by OIP that verifies that you are a student at SFSU and that you are maintaining valid status. It is required for a new visa application. Any international student traveling outside the United States who will be applying for a new F-1 or J-1 visa should request such a letter from OIP at least five (5) working days (one week) prior to travel.

___ LETTER FROM YOUR DEPARTMENT (DEPENDING UPON YOUR FIELD OF STUDY)

If you are a graduate student studying a subject or engaged in research that may fit the definition of a "sensitive area of study" (see the earlier section on the Technology Alert List) it is recommended that you obtain a letter from your faculty advisor that explains the nature of your studies and/or your research. The letter should be written using language that is easy to understand, and should not exceed the front side of one page. Such a letter may be useful if a visa officer is considering whether or not to require a security clearance before issuing the visa.

___ MAINTAINING STATUS

Have you been maintaining the conditions of your non-immigrant status? If you are an F-1 student, this means maintaining full time registration each semester at the school you are authorized to attend, reporting changes of address to the SFSU on the "My SFSU" web page (<http://www.sfsu.edu/student>) within ten days, refraining from unauthorized employment, not letting your I-20 expire, and following the appropriate procedures for school transfer and extensions. F-1s are also required to have health and accident insurance for both themselves and their F-2 dependents, and the insurance must include a medical evacuation and repatriation benefit. If you think you may have violated the conditions of your status, be sure to speak with an International Student Advisor in the Office of International Programs BEFORE departing the United States, as you may risk being denied permission to return.

___ SFSU TRANSCRIPT

Most consulates ask for transcripts when students come to renew their student visas to show that you have been making satisfactory progress towards your degree. In addition to the transcript, you may also want to have with you a printed copy of your current semester's course registration.

___ FINANCIAL DOCUMENTATION

Documented proof of financial support that appears on your I-20 is required if you will be applying for a new student visa abroad, OR if you are a national of Canada or Mexico who is traveling home to Canada or Mexico.

___ OPTIONAL PRACTICAL TRAINING

If you are on Optional Practical Training post-completion of studies and will need to obtain a new F-1 visa before returning to the United States, you must have your Employment Authorization Document (EAD) with you, your SEVIS I-20 signed for practical training with a travel signature on page 3 that is less than six months old AND a letter from your employer, verifying your employment status. Students are warned that visa issuance for individuals on practical training can be highly problematic, since you may have a hard time proving that you do not intend to immigrate to the United States. Such students are urged to discuss their situation with an International Student Advisor in the Office of International Programs before they travel.