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Reentry for F-1 Nonimmigrants Traveling Outside the United States

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Submitted by Chief Editor on Feb 27th 2014

What are the basic requirements for an F-1 to reenter the United States after traveling abroad on pleasure or personal business?

ANSWER:

This section of the FAQ applies to continuing F-1 students who travel outside the United States for five months or less.

Students should consult their Designated School Official (DSO) prior to traveling. Your DSO generally works in the International Student Office. You must have a current SEVIS Form I-20 endorsed for travel and your DSO needs to be able to verify that your SEVIS record is accurate and up-to-date.

1. What are the basic requirements for an F-1 to reenter the United States after traveling abroad on pleasure or personal business?

A Form I-20, endorsed for travel and signed by your DSO

You have been out of the United States for less than five months

A current passport valid for at least six months after the date of your reentry or, if you are from <u>one of the countries listed below</u> [2], a passport that is current through the date of entry

A valid, current visa or you traveled to contiguous country or adjacent island [3] for less than thirty days

Financial information showing proof of necessary funds to cover tuition and living expenses

If you are from a visa exempt country, you do not need a visa to reenter the United States from the western hemisphere, but make sure that you present your I-20 to be admitted as an F-1 student and not a visitor.

2. What if my F-1 student visa has expired?

You can stay in the United States on an expired F-1 visa as long as you maintain your student status. However, if you are returning home or traveling to a country where <u>automatic revalidation</u> [4] does not apply, you must have a valid visa to return to the United States.

Ensure that you have all the documentation you need for your visa application and allow sufficient time for processing a new visa. The documentation you may need for a new visa includes, but is not limited to the following:

A Form I-20, endorsed for travel and signed by your DSO (see your DSO before you travel)

Original evidence showing proof of necessary funds to cover tuition and living expenses

Evidence showing your intention to return to your home country upon program completion, including evidence of compelling social and economic ties to your home country

If you have applied for or had optional practical training (OPT) approved, bring a copy of your Form I-20 endorsed for OPT and your Employment Authorization Document (EAD), if you have one

The Department of State recommends that you apply for a visa in your home country. For more information about visa applications visit the Department of State (DoS) website at http://travel.state.gov/ [5].

You can apply in a third country for a visa, but you will not be able to return to the United States until DoS issues your visa. In some cases, this could take several weeks if DoS requires a background check. If DoS denies your visa, you will not be able to return to the United States. Be sure to check the DoS website for specific information pertaining to each embassy or consulate.

If you have an expired visa and a terminated record, we strongly advise that you do not travel outside the United States until your SEVIS record shows that you are in active status. If you do travel, you may not be able to renew your visa or return to the United States.

3. As a continuing student, will I need to pay the I-901 SEVIS fee if I travel outside the United States?

No. See the I-901 FAQ [6] for detailed information on the I-901 SEVIS fee.

4. I wish to travel to Canada, Mexico, or one of the islands (other than Cuba) adjacent to the United States. Can I return if my visa is expired?

Yes, in most cases. You can usually revalidate an expired visa automatically when returning from a visit of less than thirty days to Canada, Mexico, or one of the <u>islands adjacent</u> [3] to the United States (other than Cuba) provided that you have a valid Form I-20 and a valid unexpired Form I-94. This process is known as automatic visa revalidation.

However, if you meet any one of following criteria, you will not be able to automatically revalidate your visa.

You applied for a new visa and DoS has not yet issued it to you

You applied for a new visa and DoS denied the application

You have a terminated SEVIS record indicating that you are out of status

You have been out the United States for more than thirty days

The adjacent islands are:

Martinique

5. Which islands are defined as ?adjacent islands??

Saint Pierre
Miquelon
Cuba
The Dominican Republic
Haiti
Bermuda
The Bahamas
Barbados
Jamaica
The Windward and Leeward Islands
Trinidad

Other British, French, and Netherlands territory or possessions in or bordering on the Caribbean Sea

6. How do I know if I have a terminated record in SEVIS?

Your DSO can tell you your SEVIS record status and give you appropriate travel related advice.

7. I want to travel outside the United States, but my SEVIS record is in terminated status. Can I return if I travel?

If you need to travel on a terminated record, you must first visit your DSO. If your school has requested a data fix, the DSO will put your help desk ticket number on your Form I-20 and report your pending travel to SEVP.

There is no guarantee that Customs and Border Protection (CBP) will readmit you to the United States if you travel on a terminated record. In most cases, CBP inspectors will allow you to reenter the United States if you are otherwise admissible and your DSO has properly annotated your Form I-20. It is likely, however, that the CBP officer at the port of entry will send you to secondary inspection while they determine whether you are eligible to return to the United States.

8. Can I travel outside the United States if I have a Form I-485 adjustment of status application pending?

No, not without advance permission. If you depart the United States with a pending Form I-485, you have abandoned your application unless you receive permission in advance from USCIS to return to the United States. We call this Advance Parole [7]. Additionally, CBP may also consider you ineligible to return to the United States as an F-1 student because your application to change status to that of a permanent resident is evidence of intent to immigrate, which is inconsistent with nonimmigrant student status.

9. Can I reestablish F-1 student status by obtaining a new initial Form I-20 and reentering the United States?

Yes. However, you will be considered an initial student for SEVIS purposes. You will have to pay the I-901 SEVIS fee again and you will lose any time that you have accrued toward qualification for training (OPT) or employment.

You must have the new Form I-20 showing that you are entering on a new SEVIS ID number.

You should be aware that the CBP inspecting officer will determine whether or not to admit you to the United States with the new Form I-20. If you did not comply with the terms of your status during a prior stay in the United States, the CBP officer may decide that you are not eligible to reenter.

10. Can I reenter during the 60-day period after finishing my program or OPT?

No. The 60-day ?grace? period is only to prepare to leave the country.

11. Can I reenter if my request for OPT is pending?

Yes, but traveling during this time should be undertaken with caution. USCIS may send you a request for evidence while you are away, however, so you would want to make sure you have provided a correct U.S. address both to your DSO and on the application and would be able to send in requested documents. Also, if USCIS approves your OPT application, you will be expected to have your EAD in hand to re-enter the United States. Like a request for further information, USCIS can only send the EAD to your U.S. address.

12. Can I reenter if I left while on OPT?

If USCIS has approved your OPT you will be expected to have your EAD in hand to re-enter the United States, in addition to your Form I-20, valid passport and visa, and a letter of employment if you have one. If you exceed the limits on unemployment while outside the United States, you will not be eligible to re-enter the United States in F-1 status.

13. Are there any other requirements for travel outside the United States?

The questions above outline the general requirements for reentry for F-1 students. However, because individual circumstances vary, consult your DSO, embassy, or legal advisor before traveling. Planning for your trip early ensures that you have enough time to get all of your travel documents in order.

If you are not returning to your home country, you should check the requirements of the country you are visiting. Some countries require a visa. You may also need a transit visa for countries where you are making a connecting flight. Be sure to check before you travel. Most countries have immigration websites that provide visa information. If you have additional questions, please contact SEVP at SEVP@ice.dhs.gov [8] or call us at 703-603-3400.

For more information please visit this link: http://www.ice.gov/sevis/travel/faq_f2.htm [9]

Nonimmigrant Visas:

SEVIS [10]

SEVP [11]

OPT [12]

F-1 Visa [13]

Unless the context shows otherwise, all answers here were provided by <u>Rajiv</u> [14] and were compiled and reported by our editorial team from comments and blog on <u>immigration.com</u> [15]

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- [2] http://www.ice.gov/sevis/travel/faq_f2.htm#_Toc81222004
- [3] http://www.ice.gov/sevis/travel/faq_f2.htm#_Toc81222015
- [4] http://www.ice.gov/sevis/travel/faq_f2.htm#_Toc81222014
- [5] http://travel.state.gov/
- [6] http://www.ice.gov/sevis/i901/

[7]

- [8] mailto:SEVP@ice.dhs.gov
- [9] http://www.ice.gov/sevis/travel/faq_f2.htm
- [10] https://immigration.com/visa/nonimmigrant-visas/sevis
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- [16] https://immigration.com/JavaScript%3Avoid%280%29%3B