

U.S. Visas

What Every GME Program Should Know

Abby Rupp
State Department, Visa Office
EVSP Conference
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Overview

- Policy Update
- Who needs a visa?
- The Visa Process
- The Visa Interview
- The Decision
- Contacting the Consulate
- Other Resources



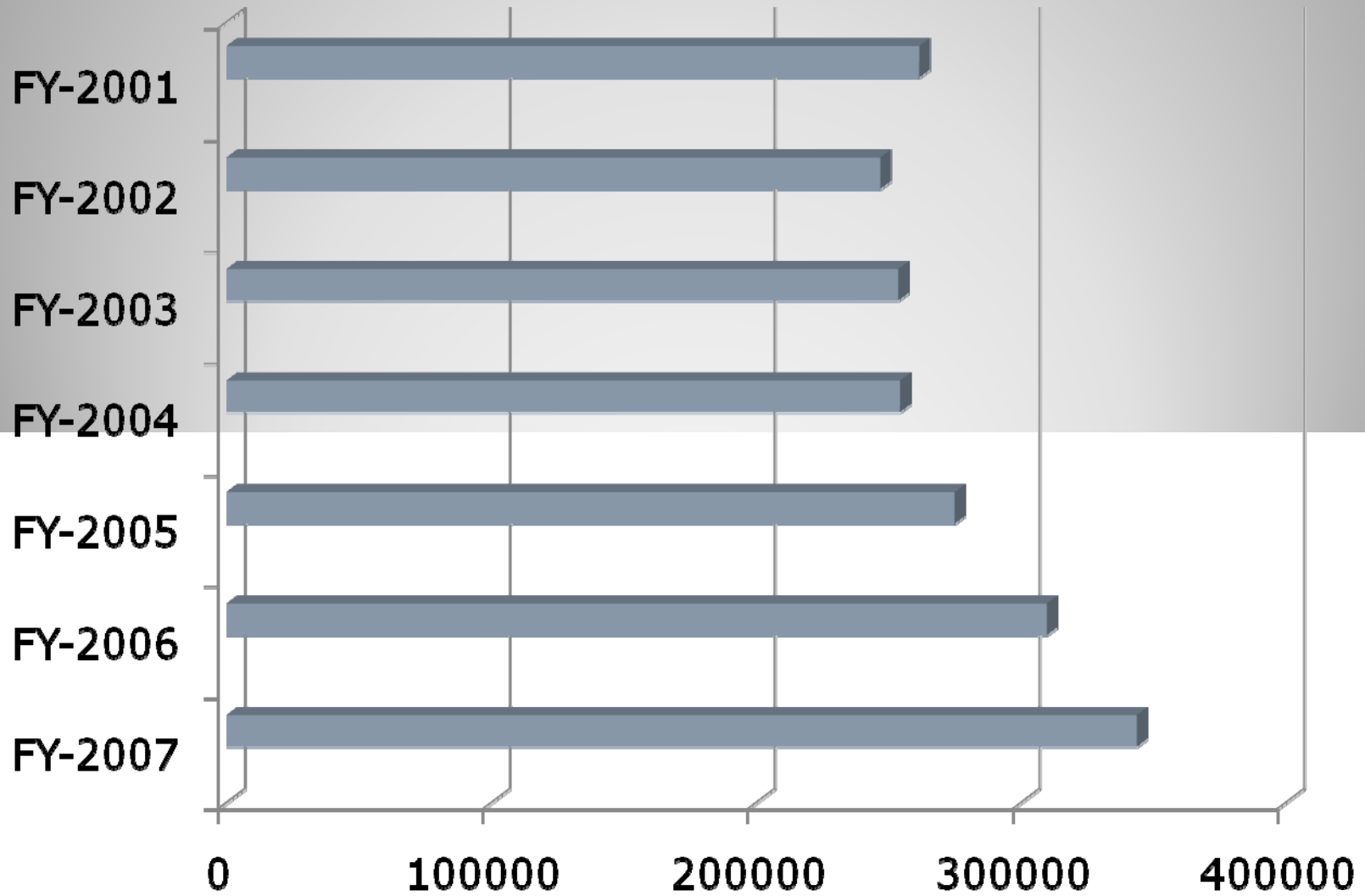
Policy Update

10/2/2008

Statistics and Trends

- FY07: Highest number of F/M/Js (651,000) issued ever
 - 10.2% increase since FY 2006
 - 16% more than FY 2001
 - Record issuances in China (40% increase), India (40% increase), Korea

J-1 Issuances, FY 2001- 2007



Current Topics

- MRV fee increase
- Ten-print collection
- PIMS
- Reuse/Reissuance
 - Can waive interview for some applicants
- Web-based application pilots

Coming Soon

- Unified appointment system
- Online fee payment
- Electronic IV forms
- Electronic visas



Who Needs a Visa?

What is Status?

Departure Number
702897636 10

Immigration and Naturalization Service
I-94
Departure Record

U.S. IMMIGRATION SFR 3056
ADMITTED
FEB 02 2004

CLASS UNTIL J1 0/5

14. Family Name		16. Birth Date (Day/Mo/Yr)
15. First (Given) Name		070878
17. Country of Citizenship	L A N D	

See Other Side

STAPLE HERE

Permission to stay in United States for a set period of time.

Who needs a visa?

- Anyone coming to US for first time in F, J, M, H-1B status
 - Exception for Canadian citizens
- Any F, J, M, H-1B visa holder with an expired visa
 - Exceptions:
 - Automatic Revalidation (some exceptions)
 - "States" under INA 101(a)(36) – Puerto Rico, Guam, Virgin Islands
- Anyone who entered the United States in one status and has changed to another, and then departs

Overstays/Unlawful Presence

- “Duration of status” vs. Specific time period
- SEVIS violator: possible inadmissibility
- Overstay: “Unlawful Presence”
 - 3-year or 10-year bar
- NSEERS violator: possible inadmissibility



The Visa Application

How to Begin

- Contact Nearest Consulate for an Appointment
 - Almost all Applicants must be interviewed
 - Students and Exchange Visitors should be receiving an expedited appointment
- Information on application process and wait times on the State Department's Visa website <http://travel.state.gov/visa>

What Documents to Bring

- Form I-20 (F/M), DS-2019 (J), or I-797 (H, etc)
- Application Form(s)
 - DS-156
 - DS-157
 - DS-158, if necessary
 - *Coming Soon – DS-160*
- Photo
- Passport

Visa Application Fees

- \$100 SEVIS Fee for F, M and most J's
 - Proposed increase
- \$131 Application Fee (Machine Readable Visa Fee)
- If applicable, Visa Issuance (Reciprocity) Fee



The Visa Interview

Arriving at the Consulate

- Check Consulate website for special instructions about visiting
- Pre-Interview Processing
 - Data Entry
 - Fee Collection
 - CLASS Name Check
 - Consular Lookout & Support System
 - Fingerprint Check
 - SEVIS and PIMS check
 - Some other pre-screening as necessary

SEVIS: Consular View

Home

Consular Consolidated Database

SEVIS ID: N0000421554 **SEVIS Status:** ACTIVE **Status Last Change:** 09-APR-03

Exchange Visitor

Surname: _____ **Given Name:** _____ **Suffix:** _____
COB (Country Code): IN **DOB:** 24-AUG-72 **Nationality (Country Code):** IN **Gender:** F

Program

Program ID: P-3-04510 **Program Name:** Educational Commission for Foreign Medical Graduates
Program Start: 01-JUL-2003 **Program End:** 31-AUG-2006

Program Sponsor: _____ **Official Title:** Regional Advisor

Site of Activity:
American Board of Internal Medicine
108 Independence Dr.
Chestnut Hill MA 2467

Subject

Subject Field Code: 60.0222
Subject Field Remark: AMERICAN BOARD OF INTERNAL MEDICINE / GERIATRIC MEDICINE

Fee

Record Type: _____ **Amount:** _____ **Transaction Date:** _____ **Receipt Number:** _____

Remarks

Funding: _____
Program Ammendment: _____
Termination: _____
Completion: _____

Consular Officers Must Consider:

- Presumption of Immigrant Intent
 - 214(b) versus Intent to Return
- Each case on its own merits
- And if applicable:
 - Cultural/Religious norms
 - Economic and immigration trends
 - Fraud trends



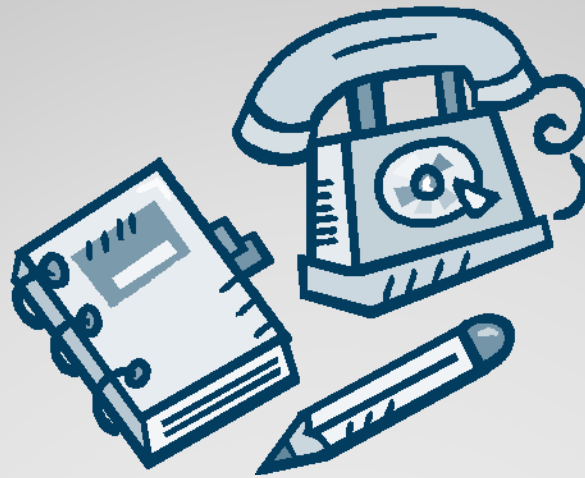
The Decision

Three Possible Outcomes

- Visa Approved
- Visa Denied
- Case Pending

Special Clearances

1. Country of Birth or Citizenship
 - NSEERS
 - Country-based requirements
2. Personal Info/Characteristics of Applicant
 - Facial Recognition
 - IDENT
 - CLASS
3. Fields of Study or Research



Contacting the Consulate

Advocating for Your Applicant

- Prepare the applicant
 - The interview is a conversation, not a document review
 - Burden of proof is on them
 - Get decision in writing
- Contacting the Consulate
 - Have the applicant bring any additional information to the interview
 - Check Embassy's website for contact information
 - Not always possible to discuss case beforehand

Additional Resources

- Code of Federal Regulations (CFR) - Chapter 22 www.gpoaccess.gov/cfr/index.html
- U.S. Department of State Visa Website www.travel.state.gov/visa
- Foreign Affairs Manual (FAM) www.foia.state.gov/REGS/Search.asp
- Visa Office Public Inquiries Unit
(202) 663-1225



Questions?