Foreign nationals seeking to enter the United States are subject to strict security procedures at U.S. consulates, embassies and ports of entry, which may have a significant effect on your entry to the United States. This document provides guidance on procedures, including visa issuance at U.S. consulates and embassies, security screening, and the immigration obligations of foreign nationals traveling to the United States. In addition, this memorandum provides guidance on important obligations and procedures for foreign nationals in the United States.

Though it is not possible to detail every immigration procedure and obligation in the content of this document, foreign nationals who will travel outside the United States should be aware of some general travel guidelines, each of which is discussed in more detail below:

All foreign nationals should ensure that they and their family members possess the required documentation for travel and re-entry to the United States, including valid passports and visas (including passports that are machine-readable and, where necessary, contain digital photographs and/or e-chips for Visa Waiver Program travelers), and advance permission to travel (i.e., advance parole) where necessary.

- All foreign nationals should expect complex and sometimes lengthy visa application procedures at the U.S. consulates and embassies, including biometrics collection procedures, mandatory personal interviews for most visa applicants and verification of visa eligibility through government databases.
- All foreign nationals should expect comprehensive questioning by immigration officials when reentering the United States.
- Most foreign nationals entering the United States will be subject to the U.S. Visitor and Immigrant Status Indicator Technology (US-VISIT) system, a "check-in" mechanism that collects travelers’ biometric identifiers (fingerprints and photographs).
- Foreign students and exchange visitors must make sure that their enrollment or program information has been entered into Immigration and Customs Enforcement’s Student and Exchange Visitor Information System (SEVIS) and that required SEVIS registration fees have been paid.
- Once in the United States, all foreign nationals should carry documentation of their immigration status.
# Table of Contents

1. **International Travel and Re-entry**

2. **Your Travel Documents: Changes and Extensions of Your Status**
   2.1 Passport Validity
   2.2 Passport and Advance Travel Authorization Requirements for Visa Waiver Program (VWP) Travelers
   2.3 U.S. Visa Validity
   2.4 Advance Parole
   2.5 Foreign Visa Requirements
   2.6 Changes and Extensions of Status

   3.1 Visa Issuance Delays
   3.2 Personal Interview Requirements
   3.3 Biometrics Collection and Issuance of Machine Readable Visas
   3.4 Security and Background Checks

4. **Entry and Exit Procedures at U.S. Borders**
   4.1 The US-VISIT System
      - Who must Comply with US-VISIT?
      - Exit and Entry Procedures
   4.2 Special Registration in the National Security Entry-Exit Registration System

5. **Travel Requirements for Foreign Students and Exchange Visitors**
   5.1 Payment of the SEVIS Registration Fee
   5.2 Documentation of Your Status
   5.3 Verification of Your Status
   5.4 Security Clearances and Background Checks

6. **Maintaining Permanent Resident Status**
   6.1 Maintaining Permanent Residence During Lengthy Absences; Obtaining a Reentry Permit
   6.2 Preserving Permanent Residence for Naturalization
   6.3 Lost or Expired Permanent Resident Cards

7. **Address Change Notification for All Foreign Nationals**

8. **Carrying Documentation of Your Immigration Status**

9. **Applying for a Social Security Number**
1. INTERNATIONAL TRAVEL AND REENTRY

For national security reasons, the U.S. government has put in place strict visa issuance and admission policies, and gives immigration and consular officers broad authority to initiate lengthy background and security checks, conduct personal interviews with applicants, collect biometric information from foreign nationals, deny visas, bar reentry, and impose special registration requirements on some foreign nationals entering the United States. Stringent security checks are possible at each stage of travel; therefore, if you or your family members are planning to travel outside the United States, you should be prepared for possible delay and inconvenience.

Upon application for entry to the United States, you should also expect thorough screening procedures at airports and other ports of entry. Your identity and the validity of your visa will be checked against law enforcement databases. You will be fingerprinted and photographed upon entry. You may also be subject to intensive questioning about your immigration status, travel history, the purpose of your visit, background, employment and other issues. If you are a citizen or national of a country of interest or concern to the United States (discussed further below), you may be subject to additional levels of screening.

**During these entry procedures, you must remain patient and answer all questions clearly.** If you do not understand a question, make sure that you ask for clarification before answering. Omitting or misrepresenting information can result in denial of entry, removal from the United States or even possible criminal penalties. If detained, you are not entitled to legal representation at the port of entry, but may ask for permission to contact Fragomen offices if the need arises. You should simply explain that contacting Fragomen will allow us in turn to contact your employer if further information is required.

2. YOUR TRAVEL DOCUMENTS; CHANGES AND EXTENSIONS OF YOUR STATUS

Well in advance of traveling internationally, you should verify that your passport and visa are valid for reentry to the United States, and you should also ascertain whether you will be required to obtain advance permission to reenter. You should also ascertain whether you will need a visa or other permission to enter your country of destination or any foreign country through which you will travel to get to your final destination. Where questions arise on these complex issues, please contact the Fragomen professional with whom you regularly work.

2.1 Passport Validity

In general, your passport must be valid for at least six months beyond the expiration of your period of admission to the United States, to ensure that you will be able to depart the United States at the end of your stay and proceed to your home country or another country. There are some exceptions to this rule, though. Under international treaties, many countries have an agreement with the United
States whereby a passport is deemed valid for an additional six months past its expiration date so that the passport holder can return to his or her country of citizenship.

If you are a citizen of the United States, Canada, Mexico or the British Overseas Territory of Bermuda, you must present a passport or other acceptable passport alternative, such as an eligible trusted traveler membership card or U.S. Coast Guard Merchant Mariner Document, when entering or re-entering the United States by air, land or sea, pursuant to the Western Hemisphere Travel Initiative (WHTI). More information on WHTI-compliant travel documents is available at http://www.getyouhome.gov/.

2.2 Passport and Advance Travel Authorization Requirements for Visa Waiver Program (VWP) Travelers

The Visa Waiver Program (VWP) permits citizens of designated countries to apply for admission to the United States for short-term visits as nonimmigrant visitors for business or pleasure without the need to obtain a B-1 or B-2 nonimmigrant visa from a U.S. consulate. The following countries are participants in the VWP: Andorra, Australia, Austria, Belgium, Brunei, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Portugal, San Marino, Singapore, Slovakia, Slovenia, South Korea, Spain, Sweden, Switzerland, and the United Kingdom.

VWP travelers are subject to strict requirements, outlined below.

Duration of stay. Entrants under the Visa Waiver Program are admitted for up to 90 days. They cannot extend their stays beyond ninety days, except in extremely rare and limited circumstances, and they cannot change their status to another nonimmigrant category. If you overstay your VWP admission, you will no longer be able to use the program and will be required to obtain a B-1 or B-2 visa for any future business or tourism visits of any duration to the United States.

VWP passport requirements. If you are planning to enter the United States for business or tourism under the Visa Waiver Program, you must make sure that you comply with special VWP passport requirements. These requirements differ depending on the date that your passport was issued. A foreign national whose passport is not in compliance with applicable VWP passport standards must obtain a visa to enter the United States.

- If your passport was issued on or after October 26, 2006 or was issued by one of the newer member countries of the Visa Waiver Program – the Czech Republic, Estonia, Greece, Hungary, Latvia, Lithuania, Malta, South Korea, or the Slovak Republic – you must present an "e-Passport." An e-Passport is similar to a traditional passport, except that it has a small, integrated computer chip embedded in the back cover. The chip stores the information displayed on the
Know Your Obligations

data page of the passport, a biometric identifier in the form of a digital image of the passport photograph, a unique chip identification number and a digital signature to protect the stored data from tampering.

- If your passport was issued between October 26, 2005 and October 25, 2006, the passport must contain a digital photograph of you and must be machine-readable. A machine-readable passport contains two lines of text (including letters, numbers and chevrons) at the bottom of the passport's biographic page. When scanned through a passport reader, the machine-readable text electronically communicates the biographic information contained in the passport.

- If your passport was issued before October 26, 2005, it must be machine-readable in order for you to be eligible for Visa Waiver Program travel.

Please note that the above passport requirements apply only to travelers entering the United States under the Visa Waiver Program. Nonimmigrant visa holders are not subject to these requirements.

**Advance travel authorization.** All foreign nationals planning to enter the United States under the Visa Waiver Program are required to register for online travel clearance through the Electronic System for Travel Authorization (ESTA). Travelers should submit their applications well in advance of travel, and no later than 72 hours before departing for the United States. Effective September 8, 2010, all foreign nationals seeking a new or renewal ESTA authorization must pay a $14 fee by credit or debit card at the time they submit their ESTA application. Foreign nationals who have a valid ESTA authorization that was obtained before September 8, 2010 are not required to pay the fee until their current registration expires or they obtain a new passport and apply for a new ESTA registration.

To register in ESTA, you must submit an online application at the dedicated ESTA website, located at [https://esta.cbp.dhs.gov/](https://esta.cbp.dhs.gov/). The application asks for your biographic and passport information, as well as information about your basic eligibility to use the VWP, such as previous visa denials, prior arrests and convictions, and presence of certain diseases. The application also requests your U.S. destination, flight information and other travel details, but this information is not required.

Once you submit the ESTA application, it will be reviewed against appropriate national security and law enforcement databases. According to DHS, most applications are decided in a short period of time, but longer adjudication periods are possible.

If approved, your ESTA travel authorization will remain valid for up to two years or until your passport expires, whichever occurs first. The authorization may be used for multiple trips to the United States during the validity period. You do not need to
re-register in ESTA until your initial authorization expires or until you obtain a new passport. Note that ESTA registration does not guarantee that you will be admitted to the United States; Visa Waiver Program travelers remain subject to inspection upon arrival and may be denied entry at the discretion of U.S. border officials.

If the ESTA application is denied or you do not apply for ESTA clearance, a B-1/B-2 visa issued by a U.S. consulate is required for short-term business or tourism visits to the United States.

2.3 U.S. Visa Validity
Upon your entry to the United States, the visa stamp in your passport must reflect your current nonimmigrant visa status, the visa must be unexpired, and, if the visa has a limited number of entries, it must have a remaining valid entry available on the intended date of reentry to the United States.

Under certain circumstances, if you are making only a short trip of 30 days or less to Canada or Mexico and have a valid Form I-94, your visa is deemed automatically revalidated upon reentry. However, if you have applied for a new visa while in Canada or Mexico, or are a citizen or national of Cuba, Iran, Sudan or Syria, you will not be accorded automatic revalidation and consequently will not be readmitted to the United States without obtaining a new visa abroad. Also, with the exception of treaty traders and investors, Canadian citizens generally are not required to possess a valid visa to enter the United States. (Note, however, that certain Canadian permanent residents must possess a valid visa for entry to the United States.) You should be aware that visa processing in countries other than your home country – known as "third country national" or "TCN" processing – is possible, but has become more restrictive. It is not possible to revalidate your visa from within the United States, unless you hold a diplomatic visa in the A, G or NATO category.

Please also be advised that overstaying the authorized period of your admission to the United States may cause you to be deemed unlawfully present or trigger laws that may result in the cancellation of your visa. Foreign nationals who overstay the period of authorized admission, as notated on the Form I-94 Arrival-Departure Record, for more than six months or more than one year may be subject to bars to admission to the United States of three or ten years, respectively. Overstays of as little as one day may trigger visa voidance provisions, which would require you to return to your home country to apply for a new visa, except in very limited cases.

2.4 Advance Parole
If you are an applicant for adjustment of status to permanent residence, you must in some cases obtain advance permission to travel – known as advance parole – in order to leave the U.S. while your adjustment application is pending. If you travel outside the United States without advance parole while your application for adjustment is pending, the application will be deemed abandoned, except in certain limited cases. If you already have a valid H-1B, H-4, L-1A, L-1B, or L-2 visa, you may reenter the United States on that visa, without the need for an advance parole.
Note, though, that the policies concerning H and L nonimmigrant family members who have been granted and have used employment authorization as applicants for adjustment of status are unresolved; until future guidance is received, individuals in these statuses who have worked in the United States should proceed cautiously, and obtain and use an advance parole for reentry to the United States.

2.5 Foreign Visa Requirements
Depending on where you are traveling outside the United States, you may need to apply for and obtain a foreign visa or other permission in order to enter your country of destination or any foreign country through which you will be transiting on your way to your destination. Make sure to ascertain any foreign visa requirements well in advance of departing the United States. The visa application process can be lengthy and time-consuming; advance planning will minimize the possibility of any disruption of your travel plans. Please contact your designated Fragomen professional if you will need assistance in obtaining a foreign visa.

2.6 Changes and Extensions of Status
The Department of Homeland Security’s policies concerning changes and extensions of status are complex and subject to change; where questions arise on these sensitive issues, please contact the Fragomen professional with whom you normally work.

In general, applicants for a change of nonimmigrant status should be aware that traveling during the pendency of the change of status application will cause the application to be deemed abandoned; though the underlying petition is still approvable if travel is undertaken, the applicant will in most situations need to travel abroad, obtain a new visa outside the United States, and then reenter. In contrast, the government has taken the position that travel during the pendency of an application to extend status should not cause the extension application to be deemed abandoned, provided that the applicant meets all the requirements for entry. Note, however, that this policy has not been officially adopted by the DHS, and has only been verbally communicated by DHS officials. Because your situation may vary, you should contact the Fragomen professional with whom you normally work to evaluate the facts and circumstances of your case.

3. VISA ISSUANCE PROCEDURES: INTERVIEWS, BIOMETRICS COLLECTION, SECURITY CHECKS AND DELAYS

3.1 Visa Issuance Delays
If you are traveling outside the U.S. and will be applying for a visa at a U.S. consulate or embassy, you should be aware of a number of State Department security procedures currently in place and should also be prepared for delays in visa issuance. The State Department has warned that visa issuance may take as long as several weeks; most cases will be processed to completion in less time, but in some instances, security clearances may take longer than the stated period. If you plan to apply for a visa outside the United States, you should contact the relevant
consulate or embassy for specific information on application procedures and processing times.

See [http://usembassy.gov/](http://usembassy.gov/) for up-to-date consular contact information.

See [http://www.travel.state.gov/visa/temp/wait/wait_4638.html](http://www.travel.state.gov/visa/temp/wait/wait_4638.html) for information on projected visa appointment and processing times.

### 3.2 Visa Applications and Personal Interviews; Verification of Visa Petition Approval

Foreign nationals who are currently applying for a visa at a U.S. consulate must submit Form DS-160, the fully electronic nonimmigrant visa application. Form DS-160 is completed online and is electronically transmitted to the State Department. The form is accessible at [https://ceac.state.gov/genniv/](https://ceac.state.gov/genniv/).

State Department guidelines require most classes of nonimmigrant visa applicants to appear at consulates for personal interviews. Most consulates use an online appointment system for visa applicants; use of these systems can result in lengthy wait times of four to six weeks or longer for visa appointments. During a visa appointment, you will be fingerprinted, photographed, and interviewed about your visa application and your prospective stay in the United States. You may also be subject to a sometimes-lengthy security clearance, discussed further below.

In most cases, before approving the visa application and issuing the visa, the U.S. consulate must verify the approval of the U.S. Citizenship and Immigration Service (USCIS) petition that is the basis for the visa application. To make this verification, the consulate will consult the State Department’s Petition Information Management Service (PIMS), an electronic database that contains information on petition approvals. Please note that it may take several days or more for the consulate to verify the approval in the PIMS system, particularly if the visa applicant was the beneficiary of a petition to change or extend nonimmigrant status. Visa applicants should be prepared for the possibility of delays while the consulate verifies the petition approval.

If you will be applying for a visa at a U.S. consulate, you should contact the consular post at which you will apply for a nonimmigrant visa in order to obtain the latest information on procedures and requirements.


See [http://www.travel.state.gov/visa/temp/wait/wait_4638.html](http://www.travel.state.gov/visa/temp/wait/wait_4638.html) for information on projected visa appointment wait times at U.S. consulates and embassies.

### 3.3 Biometrics Collection and Issuance of Machine-Readable Visa

If you are between the ages of 14 and 79 and are applying for a visa at a U.S. consulate or embassy, you will be required to make a personal appearance at the post so that your biometrics can be taken pursuant to the State Department's
Biometric Visa Program. Biometric information captured during the visa application process is later coordinated with fingerprints and photographs taken during the US-VISIT arrival process at the U.S. port of entry (discussed below).

### 3.4 Security and Background Checks

When applying for a visa to the United States, you may also be subject to additional security and background checks. Though the State Department has provided only limited information on the circumstances that will prompt the checks, the following may trigger additional screening:

- **Citizenship, nationality or country of birth.**

  Special scrutiny is imposed on male visa applicants between the ages of 16 and 45 who were born in or are nationals or citizens of 26 countries of concern. Though the State Department has declined to release the list of countries on national security grounds, it is thought to include 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. Citizens of Cuba and North Korea are subject to increased scrutiny as well.

- **Background information.**

  The State Department requires visa applicants to provide extensive background information on the applicant’s foreign travel history, education, military service, weapons and combat training, membership in and contributions to charitable organizations and other details. This information may trigger more intensive security clearances.

- **Involvement in high-technology fields.**

  If you work in high technology, engineering, or the sciences, you should be prepared to be questioned closely about the details of your job. This is also true if you work with products or services that have both commercial and military applications (known as "dual use" technologies). Visa delays may result as consular officers seek security advisory opinions from federal agencies on your work background. If an export control license is required for a position, you must ensure that your job activities are within the terms of the license and that your employer can document your compliance with the license.

- **Home country references for students and exchange visitors.**
All applicants for foreign student visas in the F and M categories and exchange visitor visas in the J category must provide information on their family members and work history, and provide the names, addresses and telephone numbers of at least two persons in the country of residence who can verify information about the applicant. Consular officers may elect to verify an applicant’s background information with family members, current and former employers and other references.

- Appearance in national security and law enforcement databases.

Consular officers are required to screen visa applicants through the State Department’s security databases and lookout lists, which contain the names of individuals identified as security risks. A positive “hit” on one of these lists will trigger additional security clearances and may cause the consular officer to seek guidance from State Department headquarters on the further handling of the case; as a result, visas may be delayed or refused. If you believe that your name may appear or is similar to a name that appears in one of these databases, please contact the Fragomen professional with whom you normally work.

4. ENTRY AND EXIT PROCEDURES AT U.S. BORDERS

4.1 The US-VISIT System
Most foreign nationals are required to comply with the entry and exit requirements of the United States Visitor and Immigration Status Indication Technology (US-VISIT) system. US-VISIT is a "check-in" system that collects biographic information and biographic identifiers from certain foreign nationals entering the United States, to determine whether an individual is eligible to enter the U.S. or should be prohibited from entering because of security risks such as past visa or criminal violations or terrorist connections. The system is currently in operation at many U.S. air, sea and land ports, and at selected pre-flight inspection stations abroad.

- Who Must Comply with US-VISIT?

Currently, US-VISIT is applicable to most foreign nationals between the ages of 14 and 79 who are traveling to or from the United States through a port at which US-VISIT is in operation, including U.S. lawful permanent residents and most Canadian citizens. Travelers subject to US-VISIT are not required to enter or exit through a port where US-VISIT is in operation, but if their chosen port of entry is a US-VISIT port, compliance with the procedures is obligatory. Failure to comply where required may result in a foreign national being deemed inadmissible to the United States, in violation of the terms of his or her status, or ineligible for future immigration benefits.

Several groups of travelers are exempt from the system. These include (1) U.S. citizens; (2) travelers who are under the age of 14 or over the age of 79; (3)
certain individuals who hold visas in categories for foreign diplomats, employees of international organizations, travelers in immediate transit through the United States, or NATO representatives and employees; and (4) individuals or classes of foreign nationals who have been exempted by the Department of Homeland Security, the Department of State or the Central Intelligence Agency. Canadian citizens entering the United States for short business or tourism visits or in transit to another country are exempt from US-VISIT, unless they have previously been deemed inadmissible to the United States and need a waiver of inadmissibility to enter. In addition, DHS has announced US-VISIT exemptions for Mexican citizens entering the United States using a Border Crossing Card when their stay is within 25 miles from the border (or 75 miles in the case of entry at an Arizona port) and the stay extends for no more than 30 days. Also exempt are certain Taiwanese diplomats and officials.

- **Exit and Entry Procedures**

On entry, foreign nationals subject to US-VISIT have their fingerprints captured with an inkless scanner and a digital photograph taken. The fingerprint and photographic data, along with information in travel documents, are used to verify the traveler’s identity and will be scanned against law enforcement and national security lookout lists. Based on the verification results, the traveler will be admitted to the United States or asked to undergo further verification. If data in the verification process indicate possible national security or law enforcement concerns, the foreign national will be referred for additional screening.

There are currently no US-VISIT exit procedures. (Previously, US-VISIT included a pilot program that tested departure procedures at selected US-VISIT ports. This pilot program has expired, but the Department of Homeland Security is expected to institute US-VISIT exit procedures in the future.) However, foreign nationals exiting the United States must continue to surrender their Form I-94 Arrival-Departure Record when departing the United States.

---

**4.2 Special Registration in the National Security Entry-Exit Registration System**

Between 2002 and early 2011, the U.S. government registered certain foreign nationals in the National Security Entry-Exit registration System (NSEERS, or "special registration"), so that these individuals could be tracked and monitored throughout their stays in the United States. NSEERS required special registrants to comply with special screening, reporting and departure requirements. On April 28, 2011, the Department of Homeland Security announced that it would no longer register foreign nationals in NSEERS and that foreign nationals would no longer be subject to compliance with the system’s reporting and departure requirements. But even though foreign nationals will no longer be subject to special registration, questions about past compliance with NSEERS could still arise. Foreign nationals who were specially registered in the past and are seeking immigration benefits – particularly adjustment of status to permanent residence and naturalization – may be asked to demonstrate that they complied with program requirements during the time that NSEERS was in effect.
5. TRAVEL REQUIREMENTS FOR FOREIGN STUDENTS AND EXCHANGE VISITORS

If you are a foreign student in the F or M nonimmigrant visa category or an exchange visitor in the J visa category and you will apply for a visa outside the United States, you must ensure that you have the required documentation, that your enrollment or program participation has been entered into the appropriate government databases, and that you have paid the student and exchange visitor fee, if required.

All schools and exchange programs are required to enter data on foreign students and exchange visitors in the Student and Exchange Visitor Information System (SEVIS). SEVIS is a tracking and database system used to monitor and collect data on foreign students and exchange visitors, to ensure their entry to and exit from the United States and their proper participation in educational or exchange programs. Schools must also use the system to generate Form I-20 Certificates of Eligibility for Nonimmigrant Student Status and Form DS-2019 Certificates of Eligibility for Exchange Visitor Status.

5.1 Payment of the SEVIS Registration Fee

If you are seeking to classification as an F or M foreign student or a J exchange visitor, you may be required to pay a fee for registration in SEVIS. Foreign nationals who receive a Form I-20 or DS-2019 certificate of eligibility with an issuance date of September 1, 2004 or later are subject to the SEVIS fee, unless they qualify for an exemption. Individuals whose certificate of eligibility was issued prior to September 1, 2004 are not subject to the fee.

**Applicable fees.** Foreign nationals seeking status in the F-1, F-3, M-1 or M-3 student categories are assessed a $200 fee. Most J-1 exchange visitors are similarly subject to the $180 fee. Individuals in certain federally sponsored exchange programs are exempt from the fee, as are spouses and dependents in the F-2, J-2 and M-2 categories. F, J, and M nonimmigrants applying for a visa to return to the United States as a continuing student or exchange visitor are also fee-exempt. Note that DHS has proposed increasing the SEVIS registration fee, but has not yet done so.

**Fee payment.** The SEVIS fee must be paid either electronically or by mail, using DHS Form I-901 (available at [http://www.fmjfee.com/](http://www.fmjfee.com/)) so that it arrives at the Department of Homeland Security at least three business days before your scheduled visa interview or, if you are visa-exempt, before an application for admission at a U.S. port of entry, in order for the consular or border officer to verify that payment has been made. You may pay the fee on your own behalf, but the Department of Homeland Security also accepts fees paid for you by your school, exchange program, a relative, friend or other interested party.
If Form I-901 is submitted by mail, the fee must be paid by check or money order drawn on a U.S. bank and payable in U.S. currency. Note that many foreign banks are able to issue checks or money orders drawn on U.S. banks. In the alternative, the fee may be paid electronically by credit card, by submitting an electronic version of Form I-901 through the SEVIS fee payment website, http://www.fmjfee.com/.

Your fee receipt. Once the SEVIS fee is paid, you will receive a receipt from the Department of Homeland Security. If you submit the SEVIS fee electronically, you will receive two receipts: an automatically-generated online receipt that can be printed out from the SEVIS fee website and a paper receipt sent by mail from the DHS. If you pay the fee by mail, you will receive a receipt by mail only. DHS will return the paper receipt by expedited courier service for an additional fee.

You must retain the receipt, which you must bring with you to your visa interview or, if you are visa-exempt, which you must present to the immigration officer at the border. Though in most cases, the consular or immigration officer will electronically verify that you have paid the fee, DHS has acknowledged that some consulates may not have immediately have access to electronic fee verification. Where electronic verification is not available, the paper receipt – either that received by mail from DHS or that generated from the Internet payment system – will be the primary means of fee verification. If you are applying for a change of status to F, M or J, you are not required to submit the paper receipt with your application, since the adjudicating officer will verify your payment electronically through SEVIS. You should retain the receipt, however; if the officer cannot electronically verify payment, he or she will require you to submit proof of payment.

5.2 Documentation of Your Status
You must ensure that you have the proper documentation of your student or exchange visitor status before applying for a visa at a U.S. consulate or embassy. As noted above, you must possess an I-20 or DS-2019 certificate of eligibility for student or exchange visitor status that has been generated through the SEVIS system. In addition, some J-1 trainees and interns require additional documentation relating to the training or internship program in which they will participate, on Form DS-7002.

The SEVIS version of Form I-20 is a three-page document and the DS-2019 is a two-page document, each bearing a bar code. F-1 students receive Form I-20-B/Form I-20ID. Form I-20 must be endorsed by the school’s Designated School Official (DSO) to demonstrate that the student is in good standing and is approved for travel. J-1 visitors receive Form DS-2019, which must be endorsed by the exchange program’s Responsible Officer (RO) or Alternate Responsible Officer (ARO) to demonstrate that the exchange visitor is in good standing and is valid for travel. Dependents will receive their own copies of Form I-20 or DS-2019.

If you will be participating in a J-1 internship or training program and your Form DS-2019 certificate of eligibility was issued on or after July 19, 2007, you must also
obtain a completed Form DS-7002, a training/internship placement plan, from your program sponsor. Form DS-7002 describes the training program or internship in detail and is signed by you, by the organization that will be hosting you as a trainee or intern, and the organization that is sponsoring the training program or internship. It is completed before your DS-2019 certificate of eligibility is issued. You must present a completed and signed copy of Form DS-2007 with your visa application or, if you are visa-exempt, to an immigration officer at the border. Note that Form DS-7002 is not required if your DS-2019 certificate of eligibility was issued before July 19, 2007.

5.3 Verification of Your Status
During adjudication of your visa application, the consular officer will consult the SEVIS database to verify your status as an exchange visitor or student. Your school or exchange program sponsor must enter your database record into SEVIS in order for verification to take place.

Note that there may be a delay between the time that your school or exchange program sponsor enters your information into SEVIS and the time the information becomes available for viewing by the consular officer, with the result that the officer may not be able to immediately issue the F, M or J visa. In order to alleviate visa issuance problems resulting from the time lag, the Department of Homeland Security has established a correction mechanism for situations in which a SEVIS record does not appear at a consular post until after the prospective student or exchange visitor has applied for a visa. Your sponsoring institution is instructed to send an e-mail to the government's SEVIS help desk. The email must contain the subject line: "SEVIS Record Not Found in Consular System." The body of the message should contain only the following: (1) your last name and first name; (2) your SEVIS record number (N#); (3) your visa category; (4) the date that your record was entered into SEVIS; and (5) the date of your visa application. The SEVIS Help Desk should communicate with the consular post regarding fixing the error within two days.

5.4 Security Clearances and Background Checks
Like other applicants for nonimmigrant visas, students and exchange visitors should be aware that visa processing may be delayed for security clearances and personal interviews. F, J and M visa applicants are subject to heightened investigations and background checks, and are also required to provide extensive work history and contact information to the State Department on Form DS-160, discussed above.

6. MAINTAINING PERMANENT RESIDENT STATUS
If you are a lawful permanent resident of the United States, your green card is evidence of your status, but more may be needed to maintain your status, travel outside the United States without inconvenience, or become a naturalized U.S. citizen in the future. If you leave the United States for a prolonged period of time, you may jeopardize your permanent resident status and your future ability to naturalize.
It is important to note that maintaining permanent residence status is different from maintaining U.S. residence for naturalization purposes; some requirements overlap, but there are important differences that must be considered carefully.

6.1 Maintaining Permanent Residence during Lengthy Absences; Obtaining a Reentry Permit

If you plan to be outside the United States for one continuous year or more – for instance, if you are assigned to a new position that is located abroad and will not be traveling back to the United States during the foreign assignment – maintaining status is important so that you may continue to enter the United States as a resident. Permanent resident status is not always automatically lost by a lengthy absence abroad, but such an absence will be taken into account by USCIS in determining whether you intend to maintain or abandon your status. In order to maintain status for this purpose, you must preserve sufficient ties to the United States to indicate that you consider the U.S. to be your permanent home. To determine your intentions, the USCIS will look at several factors, including:

- The length of your absence;
- The reason you are traveling;
- Whether you have a fixed date to return to the United States;
- Whether you have continued to file tax returns as a resident alien;
- Whether you have maintained bank accounts, property and a driver’s license;
- The location of your family; and
- The location of your employment.

Trips outside the United States for less than six months do not usually pose a problem; if you stay outside the United States for less than six continuous months, you should not ordinarily have any difficulty re-entering. Trips outside the United States of between six continuous months and one continuous year in duration may raise a red flag with an immigration officer upon your return. You may need to explain your absence, but you should be readmitted to the U.S. based upon your green card, without further documentation.

Reentry permits. If you travel abroad for a continuous year or more, you will be required to obtain a reentry permit in order to be readmitted to the United States. You must apply for the permit in the United States and attend a biometrics appointment so that your fingerprints and photographs can be collected before your departure. You may depart the United States once your application is filed, but must return for your biometrics appointment. Failure to appear for a biometrics appointment may cause your application to be deemed abandoned. If you have urgent travel plans, it is possible to request expedited processing of the reentry permit application. Please contact your designated Fragomen professional in such cases.

Once your permit is granted, you may collect it at a U.S. consular post or overseas U.S. immigration office, or you may have it mailed to a U.S. address. The permit is
typically valid for two years and is not extendable, though you may apply for a new one. When you return to the United States, the Customs and Border Protection (CBP) may still investigate whether you have abandoned your permanent residency and may ask about the factors listed above; the permit simply prevents the CBP from relying solely on your absence as a basis for determining whether you have abandoned your permanent resident status. Note that trips outside of the United States for one continuous year or more may raise issues in connection with any future application for naturalization to U.S. citizenship. This issue is discussed below.

6.2 Preserving Permanent Residence for Naturalization Purposes

In order to become a naturalized citizen of the United States, you must fulfill several criteria, including requirements concerning your residence and physical presence in the United States. To qualify, you must continuously reside in the United States for five years after attaining lawful permanent residence (or three years if you are the spouse of a U.S. citizen); you must also be physically present in the United States for at least half of that period (two and one-half years for most aliens, one and one-half years for spouses of U.S. citizens). For naturalization purposes, lengthy trips outside the U.S. may serve to "break" the continuity of your residence period. These breaks have serious consequences and may stop the naturalization clock, requiring you to start at the beginning to re-accumulate the necessary years of residence.

In general, an absence of less than six months will not interrupt your continuous residence. An absence of six months to one year will break continuous residence unless you can give a reasonable explanation for the absence, such as an overseas assignment with your U.S. employer or a lengthy trip to care for an ailing relative. If you are absent from the U.S. for one year or more, your continuity of residence will be automatically broken for naturalization purposes unless you take specific steps to preserve continuity.

If you plan to remain outside of the United States for a year or more, you may apply to the USCIS for special benefits that will preserve the continuity of your residence during the extended absence. To qualify for extended absence benefits, you must have been physically present and residing in the U.S. as a permanent resident for one year – with no absence from the U.S. whatsoever – prior to the absence. During the absence, you must be employed abroad by the U.S. government, a U.S. research institute, a U.S. corporation or subsidiary that is engaged in the development of foreign trade or commerce, or an international organization of which the U.S. is a member (provided that you were not employed by the international organization before becoming a permanent resident). You must request the extended benefits before you have been absent for one year, and you must also show that your absence is in furtherance of your overseas employment.

Physical presence in the United States is calculated differently from residence for purposes of naturalization. As noted above, you must be physically present in the U.S. for at least two and one-half years (one and one-half years if you are the spouse of a U.S. citizen). However, unlike your residency period, your period of
physical presence need not be continuous as long as you meet or exceed the minimum time requirement. The following example demonstrates how both continuous residence and physical presence are counted: You live in the United States for one year after becoming a permanent resident; you are then assigned abroad for two years, having obtained the necessary extended absence benefits. After the assignment is completed, you return to the United States and remain there for two years. In this case, you have met the requirement of five years of continuous residence. You have also met the requirement of two and one-half years of physical presence, since you were physically present for a total of three years, six months longer than necessary.

6.3 Lost or Expired Green Cards
Form I-551 Permanent Residence Cards are typically valid for ten years. Only the card expires in ten years, not your permanent resident status. You must apply for a new card before your current card expires. To do so, you must file a Form I-90 application with U.S. Citizenship and Immigration Services. If you lose your green card, you may apply to replace it by submitting an I-90 application to U.S. Citizenship and Immigration Services.

7. ADDRESS CHANGE NOTIFICATION REQUIREMENT FOR ALL FOREIGN NATIONALS
Though not strictly a travel-related requirement, all foreign nationals should be aware of the Department of Homeland Security’s regulations on address change notification. All non-U.S. citizens, including lawful permanent residents, are required to notify DHS of changes of address within 10 days of such change. The only foreign nationals exempt from this requirement are nonimmigrants in the A (foreign diplomats) and G (representatives of international organizations) visa categories, and nonimmigrants who are not required to possess a visa and are in the United States for fewer than 30 days.


Failure to comply with the address change notification requirements may affect your ability to remain in the United States and your ability to reenter the United States after travel abroad; noncompliance may also be criminally punishable as a misdemeanor, with a fine not to exceed $200 and/or imprisonment of not more than thirty days. Therefore, it is imperative that you comply with the address change notification requirements, and we recommend that you make a copy of your address change form and other pertinent documents in the event that the Government alleges that you failed to comply.

If you are an applicant for an immigration benefit, you must notify the relevant
USCIS office(s) processing the case by calling the agency’s National Customer Service Center at (800) 375-5283 or, if a paper Form AR-11 was filed, by using the online change of address system and providing the receipt number for your pending application.

8. CARRYING DOCUMENTATION OF YOUR IMMIGRATION STATUS

U.S. immigration laws and regulations require every foreign national age 18 or older to carry documentation of their lawful registration as a foreign national while in the United States. Documents acceptable for this purpose include the Form I-94 Arrival-Departure Record; the Form I-551 Permanent Resident Card ("green card"); the Form I-766 Employment Authorization Document (EAD); and the Form I-185 or I-186 Border Crossing Card for citizens of Canada and Mexico.

Failure to carry a required document is a misdemeanor; for each offense, you may be fined up to $100, jailed up to 30 days, or both. While convictions for this offense are not common, in the current climate of heightened national security concern and more stringent immigration enforcement, you are advised to carry the relevant documents with you or keep them close by at all times.

9. APPLYING FOR THE SOCIAL SECURITY NUMBER

Many foreign nationals entering the United States to work pursuant to a nonimmigrant visa will apply to the U.S. Social Security Administration (SSA) for a Social Security Number (SSN). Before a Social Security Number can be issued to you, the Social Security Administration (SSA) must verify your nonimmigrant status with the Department of Homeland Security. It takes approximately 10 business days from the time you enter the United States for your entry data to be entered into DHS systems and made available to SSA for verification purposes. You may therefore wish to wait 10 business days after entry to file the application for a Social Security Number, to minimize verification difficulties. Note that if you depart the U.S. while your SSN application is pending, the system may indicate your departure and your application may be suspended. You may then have to reapply for an SSN upon your re-entry to the U.S. We therefore recommend that you remain in the U.S. until your Social Security card is issued.