



The University of New Mexico

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APPLYING FOR A NEW US VISA: FOR CONTINUING STUDENTS

I. EXPLANATION

Students who are maintaining legal student status in the US do not need to have a valid visa to REMAIN in the US. However if the student plans to leave the US and return to resume studies, in most cases, he/she needs a valid visa to return (Canadian citizens do NOT need visas to enter the US). New student visas cannot be obtained in the US. If your F-1 or J-1 visa in your passport has already expired and you want to apply for a new visa, please read the following information carefully. Applying for a visa in your home country is generally considered to be easier than applying for a visa in a "third country" (country where you are not a citizen or legal resident). Regardless of where you plan to apply, you should schedule appointments and make plans well in advance of the date of travel. *Please note that getting a visa can be very difficult in some countries. Please speak with an advisor before you go.*

II. CONDITIONS AND LIMITATIONS

In order to apply for a new visa, continuing students MUST:

- Be maintaining legal student status (see handout on Maintaining status - if you have violated your status, speak with an advisor about your situation before you leave the US)
- Be currently enrolled or planning to enroll for the next academic semester at UNM or have received an authorization to engage in optional practical training (for F-1 students) or Academic Training (for J-1 students). F-1 students on OPT will need an EAD card and job offer. J-1 students will need the Academic Training authorization letter. (Note: applying for a visa while on OPT can be risky; ask an advisor or read the OPT handouts for more information.) If you will be enrolling at another US institution when you return to the US, you should use the I-20 or DS-2019 from that school to apply for the visa. Sometimes this is not possible; please see an advisor if this is your situation.
- Be able to demonstrate to the satisfaction of the visa officer that you have enough funding to complete your program and that you plan to return to your home country. If you have relatives that are US citizens or permanent residents, this will be more difficult to do
- Have a "valid" reason for applying in the country where the consulate is located; you are likely to be denied if your only reason for applying in that country is to avoid your home country consulate.
- Have had a previous visa that was issued in your home country (Recommended if you will travel to a third country)
- Continuing students applying for the SAME type of student status they currently have (F or J), should NOT have to pay the SEVIS Fee; however, if you have interrupted your status via absence from the US for more than 5 months or by violating your status you will need to pay the fee before you apply for the visa (instructions are below)

III. OTHER IMPORTANT INFORMATION

1. A valid visa MAY NOT be required for return to the US after travel of **less than 30 days** to "contiguous territory" (contiguous territory includes Canada, Mexico, and islands adjacent to the US - other than Cuba). This exception is called the "*automatic revalidation of visa*" benefit. The following individuals are **NOT** eligible to return to the US as a part of automatic revalidation and MUST get a visa to return:
 - a. **Nationals of countries identified as state sponsors of terrorism** by the State Department's annual "Patterns of Global Terrorism" report. The most recent State Department report was released in June 22, 2004 and lists Iraq, Iran, Syria, Libya, Sudan, North Korea and Cuba as state sponsor of terrorism.
 - b. **Any non-immigrant who applies for a new visa while in contiguous territory** (not just someone from the 7 countries listed above). Those who apply for a new visa and are denied must obtain a new F-1 visa before they can re-enter the US.
2. The visa process and amount of time vary according to the individual consulate. Most consulates require that you schedule an in-person appointment weeks in advance; if approved, visas are usually issued on the same day or the day following the appointment. However, you might have to wait longer for the visa if your application is selected for a security check.
3. You should be aware that any encounter with a law enforcement agency in the US could result in an FBI record and may affect the visa application process as well as any future applications.
4. You will not be permitted to take any electronic devices including cellular phones, beepers, etc. into the Consulate. Also, weapons (including pocket knives), spray cans, and perfumes are not permitted. All your personal belongings will be searched at the entrance to the Consulate. Also, only the actual visa applicants who have an appointment will be allowed inside the Consulate. Therefore, anyone else accompanying you will have to wait for you outside.
5. It may take several hours to complete the visa process. Please remember to be patient and friendly. Lines may be lengthy and you may have to wait for a long time, but it is important to remain calm and respectful.
6. Visit the website of the consulate you are going to. Links to consular websites can be found on the state department website at: <http://usembassy.state.gov/>

IV. VISA APPLICATION PROCESS

STEP 1: MAKE AN APPOINTMENT WITH THE US CONSULATE

Check the website of the consulate you plan to go to. All consular websites can be accessed via the State Department Website at: <http://usembassy.state.gov>. Appointments must be made in advance (often at least three weeks or more). You will typically receive an appointment letter with the appointment date and confirmation number, which you will need to bring with you when you apply for your visa. There are a few consulates which may allow you to renew a student visa without an appointment

STEP 2: MAKE SURE YOU HAVE A VALID, ORIGINAL SEVIS I-20 OR DS-2019 FOR THE SCHOOL YOU WILL ATTEND

You will have to bring a SEVIS I-20 or DS-2019 when you go to apply for your new visa. If you do not have a SEVIS I-20/DS-2019, please make an appointment with an OIPS advisor by calling 277-4032 to discuss your situation. *Please bring a copy of your current unofficial transcript and your passport with your I-94 card to your OIPS appointment.*

STEP 3: BRING THE FOLLOWING DOCUMENTS WITH YOU FOR THE VISA APPOINTMENT

Read the information sent to you by the US Consulate in your appointment letter carefully and follow their instructions regarding documentation for your visa interview. These are some of the documents that are requested by US consulates:

- ❑ **SEVIS I-20/DS-2019** signed for travel by OIPS advisor within last six months
- ❑ **Valid passport** (for at least six months into the future)
- ❑ **Appointment Letter** with your appointment date and confirmation number sent to you by the US consulate
- ❑ **Official academic transcript in a sealed envelope.** You can obtain official transcripts from the Records Registration Office in Student Services, Room 250 for \$3. Transcripts are processed within 3 to 5 business days.
- ❑ **Proof of sufficient funds.** If you have an assistantship, bring a copy of your current assistantship contract or a letter from the department that awarded you the assistantship stating the amount you receive including the cost of tuition and student health insurance if covered by your contract. If you do not hold an assistantship, bring a current bank statement regarding either your personal or family's account or your sponsor's bank account. If you are on a scholarship or a student loan from your government, bring the appropriate documentation specifying the amounts you receive.
- ❑ **Visa application fee.** The current visa application fee is \$131, which you will have to pay in cash or at a local bank; the consulates instruction sheet has this information.
- ❑ **Reciprocity fee.** There may be a reciprocity fee for visa applicants from certain countries. For more information regarding specific countries and reciprocity fee amounts, please visit: <http://travel.state.gov/visa/reciprocity/index.htm>
- ❑ **SEVIS fee.** **If you have interrupted your status by a violation or an absence from the US for more than 5 months, or if you will change from an F-1 visa to a J-1 visa or vice versa you will have to pay this fee.** Beginning September 1, 2004 all students must pay a mandatory US \$100 SEVIS (Student Exchange Visitor Information System) fee. This is a US Government fee and is in addition to any visa fee. Continuing students do not have to pay the fee if they are continuing in the same visa status without interruption. If you do have to pay, you must pay this fee at least 3-business days prior your interview at the Consulate. The payment of the fee will be recorded in the SEVIS system and should be fully processed before you go to the Consulate for the interview. We recommend that you bring proof of payment to your interview. You can pay the SEVIS fee in one of two ways:
 - Through the Internet at www.FMJfee.com by using a credit card and completing the online Form I-901. Once you have submitted the payment please print the computer-generated receipt. This receipt will be your proof of payment.
 - Through the mail by submitting a completed Form I-901 and a check or money order drawn on a US Bank payable in US Currency. For proof of payment, you will need to wait until you receive the receipt (Form I-797) by mail. Because we do not know how much time it takes to obtain this receipt we strongly recommend you try to pay the SEVIS fee through the Internet (option 1 above). For more detailed information on the fee payment process and to download the form I-901 please go to the SEVIS website at <http://www.ice.gov/sevis>
- ❑ **Visa application forms.** You will need properly completed DS-156 & DS-158 Forms and supplement DS-157 for all males between the ages of 16 and 45. You can download these forms from the following website: <http://evisaforms.state.gov/>
- ❑ **Passport photo (front profile).** You will need one recent color photograph (taken within the past six months), 2x2 inches (5x5 cm). It must show a front view, full face, on plain light (white or off-white) background. For additional information regarding the visa application please go to the specific consular website.
- ❑ **Proof of intent to return to your home country.** In order to be eligible for a student visa, you cannot be "intending to immigrate" to the US. Students should be prepared to articulate how they plan to use their education in their home country when they return. Proof of property, a job, or other ties to the home country can help students show non-immigrant intent.
- ❑ If you have changed to "student status" while in the US, bring a copy of your approval notice and I-20 or DS 20-19 with the approval stamp, as well as proof of admission to the degree program.

STEP 4: GO THROUGH IMMIGRATION INSPECTION WHEN YOU RE-ENTER THE US. After you have obtained your new visa at, you will need to show your documents to a US immigration inspector at the border. They should give you a new I-94 at that time where your correct status should be listed as F-1 or J-1 with an expiration date of D/S.

STEP 5: BRING NEW DOCUMENTS TO OIPS When you come back to Albuquerque, please bring your new visa and your I-94 card to OIPS so that we can make copies of these documents and update your file.