



ISO VIRTUAL FORUM: VISAS AND TRAVEL

FRIDAY, JUNE 26, 2020 11:00 AM – 12:00 PM

Speakers

- David C. Elwell

Associate Dean and Director

MIT International Students Office | <http://iso.mit.edu>

- Dana Riechman

International Student Programming Administrator/Advisor

MIT International Students Office | <http://iso.mit.edu>

- ISO Advisors

<http://iso.mit.edu/about/student-advisor.shtml>



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Thank You for Pre-Submitting Questions

- ISO received over 80 questions submitted in advance of the Virtual Forum.
- This presentation provides general information as well as addressing many of the pre-submitted questions.
- Please note we may not be able to answer certain questions, or will have limited details on certain issues, given we await to receive official guidance from U.S. Government agencies.
- U.S. Government guidance may change due to COVID-19 conditions or as immigration policies are updated.
- ISO will provide further updates as received to the ISO webpage, ISO Updates, ISO e-newsletter, or future ISO Virtual Forums.



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Faculty, Researchers, PostDocs

- Individuals who have an appointment at MIT as a non-student (faculty member, researcher, visiting scholar, or postdoctoral fellow/researcher) should contact the MIT International Scholars Office with questions:

<http://web.mit.edu/scholars/contact/index.html>



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Agenda

- Government Policy/Actions Update
- Visa Processing at U.S. Embassies/Consulates
- General Travel Questions
- Additional Pre-Submitted Questions



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Government Policy/Actions Update

- Presidential Proclamation / Government Agency Guidance
 - [MIT Major Immigration Alerts & Updates](#)
 - [ISO Updates](#)



Presidential Proclamation / Government Agency Guidance

- **June 22, 2020** – [Presidential Proclamation Temporarily Suspending Entry of Certain Nonimmigrants in H, L, and J Status](#)
 - ▣ Does NOT apply to individuals inside the US at time of effective date; but may apply if you depart the U.S.
 - ▣ Does NOT impact F-1 students, does NOT include action on F-1 OPT or F-1 STEM OPT
 - ▣ Does NOT include J-1 categories Student, Research Scholar, Professor, Short-Term Scholar, Specialist
 - ▣ Awaiting additional guidance on implementation process from U.S. Department of Homeland Security
 - ▣ If you hold H or L status, you should contact your visa sponsor/employer for guidance



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Presidential Proclamation / Government Agency Guidance

- **May 29, 2020** -- [Proclamation on the Suspension of Entry as Nonimmigrants of Certain Students and Researchers from the People's Republic of China](#)
 - certain Chinese nationals seeking entry to U.S. to pursue Graduate level study or research in F or J visa status (NOT Undergraduates)
 - Does not currently apply to Chinese nationals inside the U.S. pursuing study/research in F or J status
 - U.S. Department of State has not released the list of entities in China where current/past work, employment, or funding may subject an individual to restrictions



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Presidential Proclamations / Government Agency Guidance

- ❑ **January 31, 2020** -- [Presidential Proclamation Expands Travel Ban to 6 New Countries, Previous 7 Countries Remain Subject to Restrictions](#)
- ❑ Travel Ban now applies to 13 designated countries
 - ❑ Syria: For Student visas, Syrian nationals will have their application reviewed first a 'waiver' of ban before visa can be issued
 - ❑ Iran: Does not apply to F or J visas
 - ❑ Visa Processing times in all designated countries may still be impacted even if Ban does not apply to student visas



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Presidential Proclamations / Government Agency Guidance

- ❑ COVID-19 Travel restrictions still in place until removed by Presidential order (cannot enter US within 14 days of physically being on one of the following countries):
 - ❑ Europe (most Schengen countries, including United Kingdom and Ireland)
 - ❑ China
 - ❑ Iran
 - ❑ Brazil
- ❑ U.S.-Canada-Mexico – no “non-essential” entry (extended to July 21, 2020)
 - ❑ Study/employment considered “essential” entry



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Executive Orders / Government Agency Guidance

- **April 23, 2020** -- [Executive Order Issued Suspending New Immigrant Visa Entry to U.S.](#)
- **April 20, 2020** -- [USDHS Announces Extension of "Non-Essential" Travel Restriction Between Canada-U.S.-Mexico \(extended to July 21, 2020\)](#)
- **March 14, 2020** -- [United Kingdom and Republic of Ireland added to Europe Travel Restriction to U.S.](#)
- **March 14, 2020** -- [United Kingdom and Republic of Ireland added to Europe Travel Restriction to U.S.](#)
- **March 11, 2020** -- [Entry to U.S. from Most European Countries Suspended for 30 Days](#)
- **January 31, 2020** -- [Presidential Proclamation Barring Entry to U.S. For Those Who Travel to China Within 14 days Prior to Arrival to U.S.](#)
- **January 31, 2020** -- [Presidential Proclamation Expands Travel Ban to 6 New Countries, Previous 7 Countries Remain Subject to Restrictions](#)



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Visa Processing

- U.S. Embassy/Consulate Information

<http://usembassy.gov>



Visa Processing at U.S. Embassies/Consulates Abroad

- **March 20, 2020** -- [U.S. State Department Suspends Routine Visa Services in Most Countries](#)
 - ▣ Reports of students able to schedule visa interview appointments at some consular posts
 - ▣ Instructions on scheduling visa interviews, service updates, available on US Embassy/Consulate website where you will apply (<http://usembassy.gov>)
 - ▣ Resuming visa services dependent on staffing levels and COVID-19 conditions/regulations in the consular country/city
- Per U.S. Department of State, consulates will attempt to prioritize student visa applications based on resources and local conditions.



Visa Interview Guidance

- Schedule interview time for whatever time you can reserve, even if after the start date for the Fall 2020 term
- Procedure to request earlier visa interview time only possible when have an initial time scheduled (no guarantee)
- Current experiences indicate that requesting an expedited appointment may only be feasible after Visa Services resume at the Consular post



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Visa Processing

- Original (Paper) Form I-20 or DS-2019 required for in-person interview
- NOT possible to request expedite of Administrative Processing (security checks)
 - Embassy/Consulate does NOT have control over Administrative Processing (U.S. State Department and other government agencies in the U.S. responsible for these security check procedures)



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General Travel Questions



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FALL 2018

Entry to U.S.

- Newly Admitted students for Fall 2020 may NOT enter the U.S. any earlier than 30 days prior to the Fall term start date
 - ▣ Fall 2020 Start Date = September 8, 2020
 - ▣ Enter NO EARLIER THAN August 9, 2020
- If Fall 2020 becomes fully remote, then USDHS may not allow students to enter from abroad in Fall (“not essential” to be in U.S.)
- Will inform students of any updates on Travel Restrictions or entry protocols from the U.S. Department of Homeland Security



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F-1 5-month Temporary Absence Rule

- “Do I maintain my eligibility for OPT if I am outside the U.S. for more than 5 months (left in March, not returning to campus until at least September)?”
 - ▣ [SEVP FAQ on COVID-19](#) -- Suspension of F-1 5-month temporary absence rule (applies to continuing students) for the period from departure through the summer
 - ▣ Awaiting update from USDHS if it will cease suspension
 - ▣ J-1 visa holders are not subject to a 5-month temporary absence rule



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Travel Outside the U.S. While OPT/STEM OPT Application Pending

- Pre-Completion OPT
 - ▣ Do not leave the U.S. until receive confirmation email/text from USCIS that application has been received
- Post-Completion OPT
 - ▣ In minimum, do not leave the U.S. until receive confirmation email/text from USCIS that application has been received
 - ▣ If are not inside the U.S. by your program completion date, must wait abroad until OPT is approved, EAD card received, and you have a job offer letter to return to U.S.
 - ▣ If need a new F-1 visa from U.S. Embassy/Consulate to return to the U.S., and returning after OPT period ends, must receive STEM OPT Extension EAD card before traveling (need EAD for new visa application)



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Travel Outside the U.S. While OPT/STEM OPT Application Pending

- STEM OPT Extension
 - Do not leave the U.S. until receive confirmation email/text from USCIS that application has been received
 - If returning after completion date of OPT EAD card, need the STEM OPT EAD Card to re-enter the U.S.
 - If need a new F-1 visa from U.S. Embassy/Consulate to return to the U.S., and returning after OPT period ends, must receive STEM OPT Extension EAD (U.S. Consulate will require STEM OPT EAD card in-hand for visa interview)
- Consult your employer before any travel outside U.S.



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Additional Pre-Submitted Questions



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FALL 2018

Additional Pre-Submitted Questions

- *Do we have any expectations as to when the Trump Administration may end the travel restrictions?*

We have no insight as to when the travel restrictions may be lifted or if additional countries may face travel restrictions.

Please note that other countries are considering or enacting travel restrictions that may designate visits to the U.S. as subject to such restrictions. Before any travel, in addition to considerations for return to the U.S., students should verify if there are any restrictions for entering the country you plan to

visit.

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Additional Pre-Submitted Questions

- *How long is it permitted to stay in the U.S. with an expired visa?*

The visa issued by the U.S. Embassy/Consulate is an “entry visa”, which only needs to be valid when entering the U.S. Once inside the U.S., the entry visa can expire and you can remain in the U.S. as long as you are maintaining your status – which for a student is maintaining your full-time enrollment at MIT, maintaining a valid passport, have a valid Form I-20 or Form DS-2019 (as appropriate), or have approved authorization for F-1 Practical Training or J-1 Academic training. You can only apply for a new visa at a U.S. Embassy/Consulate the next time you are outside the U.S.



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Additional Pre-Submitted Questions

- *I am beginning a new program of study at MIT, but my (F-1) visa in my passport issued for my previous degree program in the U.S. is still valid. Can I use that visa to enter the U.S. in the same visa status?*

Yes. As long as the visa still has validity, and you are entering the U.S. in the same status (entering in F-1 status you must have an F-1 visa), it can be used until its expiry while you attend MIT. You should carry with you not only your MIT-issued visa document, but also the visa documents issued by the previous school you attended for which the visa was initially issued to prove you used the visa to attend that previous school.



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Additional Pre-Submitted Questions

- *I am a continuing student at MIT. My visa expired over the last month and I was told to wait to renew it. When can I start the renewal process?*

If your entry visa in your passport, issued by the U.S. Embassy/Consulate abroad, has expired, and you are currently inside the U.S., you can remain inside the U.S. and continue your studies as long as you are enrolled full-time at MIT, have a valid passport and valid Form I-20/Form DS-2019 (or authorized for post-degree completion F-1 OPT or J-1 Academic Training). Your visa only has to be valid to enter the U.S. from abroad.

It is not possible to renew your visa from inside the U.S. The next time you will travel outside the U.S. you must plan ahead to apply for/obtain a new visa at a U.S. Embassy/Consulate while abroad in order to re-enter the U.S.



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Additional Pre-Submitted Questions

- *If my department is continuing to be fully online during the Fall semester, could I leave Massachusetts and live during Fall in a different state of America (this would allow me to be with my partner)? Are there any issues that this could cause, given that I am an international student and my F1 visa will expire in August?*

Students already inside the U.S. will be eligible to remain in the U.S., including another State, even if instruction is fully remote in the Fall. Students will need to enroll at MIT for the Fall term to maintain status and pursue remote coursework. Students outside the U.S., or who leave the U.S., and the Fall term is fully remote, may face challenges in returning to the U.S. during the Fall term. We will keep students update as additional guidance for Fall 2020 is provided by the U.S. Department of Homeland Security.



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Additional Pre-Submitted Questions

- *International travel is currently discouraged by the ISO. However, what is your recommendation for international travel to countries outside the travel restrictions/Travel Ban?*

We cannot predict if any countries will be added to travel restriction designations. At this time, there are risks to any travel outside the U.S. If a country currently not subject to travel restrictions remains not subject, the only factor that may impact entry to the U.S. is if USCBP focuses more on the “essential” need to return to the U.S. (e.g. is instruction in-person/hybrid or fully remote). We await new guidance from USDHS and USCBP on this issue and will update the MIT community as we receive additional information.



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Additional Pre-Submitted Questions

- *Do you expect there to be updates to the travel ban over the summer? Specially if countries in the Schengen area continue to register less and less daily cases.*

We do not have any information about timelines to remove current travel restrictions or to add additional travel restrictions over the summer. There are a number of factors, such as COVID-19 or political developments, that could influence travel restriction policies.

We will be sure to update the MIT community as we receive any updates.



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Additional Pre-Submitted Questions

- ***Some people say the border officer may not allow us to enter the country if our program in the US is remote, even though we're coming from a not-prohibited country. Is that true?***

We have been hearing of experiences at the port-of-entry where students have been asked if their institution is currently offering in-person instruction. We are reaching out to U.S. Department of Homeland Security and U.S. Customs and Border Protection for clarification. As MIT instruction in Summer 2020 is fully remote, returning to the U.S. more than 30 days prior to the start date of the Fall 2020 term may be difficult unless essential need to return can be demonstrated (e.g. required in-person research that cannot be done remotely).



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Additional Pre-Submitted Questions

- *Both myself and my dependent family members have valid U.S. entry visas, is it safe for us to travel home (to a country in Europe) over the summer?*

As It is unknown when travel restrictions may be lifted, you will want to consider the risks of being delayed on return to the U.S. if the restrictions are still in place.

Travel restrictions do not prevent individuals leaving the U.S., only entering the U.S.



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Additional Pre-Submitted Questions

- *I plan to travel back to the U.S., spending 14 days in a non-travel restriction country before entering the U.S. What potential issues will I face? What documentation must I have with me?*

First, be sure you are not traveling to another country that is also subject to travel restrictions for entry to the U.S. You must document you have been in a country for 14 days before entering the U.S. that is NOT subject to travel restrictions to the U.S.

Also, you have to be sure you meet visa requirements to enter the country you plan to stay in (that country may also have travel restrictions on entry to that country).

Documentation: airline tickets, custom stamps in your passport, any other documentation showing your stay in that country.



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Additional Pre-Submitted Questions

- *I have a J-1 visa and because of Covid-19 I travelled back to (Europe) for the time of remote work. My lab is ramping up now but I'm not allowed to enter the US since my country is a part of the Schengen area. Would I be allowed to enter the US if my PI writes a letter that states that I'm doing research on Covid-19 and therefore am an essential worker?*

Given current USDHS guidance, simply having a job/position does not provide an exception to the 14 day travel restriction from a Schengen/European country subject to the Proclamation.



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Additional Pre-Submitted Questions

- *I am a Visiting Student completing my appointment at the end of July, but my country has travel restrictions that even prevent citizens from entering my country. I also cannot get a flight home. If I am not able to return home, what can I do?*

For students who need to return home and there are issues getting flights back to home country, contacting your Embassy/Consulate in the U.S. for travel assistance is recommended by the U.S. Department of State. Some Embassies are coordinating repatriation flights back to their countries.

Please be in contact with your [ISO Advisor](#) to talk about options if you are unable to depart the U.S. by the time designated by your status.



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Additional Pre-Submitted Questions

- *If the US embassy remains closed in my country and I cannot get F-1 visa, am I eligible to register as a MIT student remotely?*

If you are delayed in being able to secure a student visa to enter the U.S., you would be able to pursue your coursework remotely until you are able to enter the U.S. Please be in contact with your Academic Advisor as well as your [ISO Advisor](#) to keep us informed if you will not be able to arrive at MIT for the start of the Fall term.



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Additional Pre-Submitted Questions

- *If I am currently on post graduation OPT and have my EAD card, can I travel to countries in Europe and return to the US?*

Even for students who have graduated and are on a period of authorized F-1 Optional Practical Training (OPT) or STEM OPT Extension, or J-1 Academic Training, you will still be subject to the Travel Restrictions for return to the U.S. if you travel to one of the countries subject to the Travel Restrictions under Presidential Proclamations.



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Additional Pre-Submitted Questions

- *I am currently in my grace period after F-1 /I-20 expired with my graduation and getting ready to file a cap-exempt H1B before my grace period ends (end of July). Will my situation be affected?*

It is recommended that you be in contact with your employer filing/sponsoring the H-1B petition for the Change of Status to verify timeline.

It may also be beneficial to determine, if you are still eligible, if applying for Post-Completion F-1 Optional Practical Training may be a beneficial option. Please consult your [ISO Advisor](#) after speaking with your employer about options.



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Additional Pre-Submitted Questions

- *I have a summer appointment from June to August as a research assistant (Master Degree). Is my travel considered essential?*

If you are a continuing student, from a country not subject to travel restrictions, you may (no guarantees) be eligible to return to MIT in Summer if you can document you must be physically back on campus to complete required research. Since MIT is fully remote instruction in Summer 2020, you need a letter from your research supervisor confirming you must return to your lab that has resumed on-campus activity, your research position is part of your academic program, and you cannot perform the research remotely from abroad.

Note that students from countries with travel restrictions should be in contact with your [ISO Advisor](#) to discuss your individual case.



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Additional Pre-Submitted Questions

- ***My travel signature on my visa document (Form I-20 or Form DS-2019) is more than 12 months old. How do I obtain a new travel signature?***

Students must have a travel signature from their visa sponsor (MIT ISO) within 12 months of the date of entry to the U.S. If you are returning to the U.S. from Canada, Mexico, or most Caribbean islands, the travel signature must be within the past 6 months from date of entry.

To get a new travel signature, the easiest way is to request a new Form I-20 or Form DS-2019 via iMIT (<http://imit.mit.edu>). Click on the left-hand menu “F-1 (or J-1) Student Services” then select “Request Replacement Form I-20 (or DS-2019”. Follow the instructions to request the new document that can be express mailed to you.



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Additional Pre-Submitted Questions

- *If I am abroad, will I be able to pursue my graduate Research or Teaching Assistantship from abroad until I can return to the U.S.?*

Guidance on this issue is posted on the MIT Office of the Vice Chancellor website: [“Update on Remote Student Appointments for Work or Research Conducted Outside the U.S.”](#)



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Additional Pre-Submitted Questions

- *What are the quarantining guidelines upon return to MIT?*

MIT will provide guidance on the appropriate self-isolation, testing, and related protocols required for return to campus on the MIT Covid-19 Info Center website (<https://covid19.mit.edu/>), as well as in direct emails to the MIT community.



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Additional Pre-Submitted Questions

- ***If CBP refuses your entry to US, will they revoke your visa? If so, how will this revocation affect future visa applications and entry to US?***

If you have concerns about your entry to the U.S. being granted, we advise you to contact your [ISO Advisor](#) in advance of making travel arrangements. Given travel restrictions, individuals may even be denied boarding their flight to the U.S. if they are deemed ineligible for entry to the U.S. at that stage.

Denial of entry to the U.S. does not necessarily mean an entry visa will be revoked. It depends on the reason for the denial of entry. A denial of entry to the U.S. does not automatically make an individual ineligible to apply for a new visa or make an entry to the U.S. in the future.



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Providing Updates

- Please note we may not be able to answer certain questions, or will have limited details on certain issues, given we await to receive official guidance from U.S. Government agencies.
- U.S. Government guidance may change due to COVID-19 conditions or as immigration policies are updated.
- ISO will provide further updates as received to the ISO webpage, ISO Updates, ISO e-newsletter, or future ISO Virtual Forums.



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Additional Questions?

- Review ISO Website (<http://iso.mit.edu>)
 - [ISO Updates News Page](#)
 - [Major Immigration Alerts and Updates](#)
- Topic area pages
 - [Entering U.S. Borders](#)
 - [Employment](#)
- Email your ISO Advisor (<http://iso.mit.edu/about/student-advisor.shtml>)
 - Email volume is high, if you do not hear back within 4 business days, you may call the ISO (617-253-3795)



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