Immigration Alert!
Updates & Reminders for International Students

⇒ Immigration Changes Affecting Holders of B-1/B-2 Visitor Visas:

- If you enter the United States in B-1 or B-2 nonimmigrant status, you will not be able to enroll in a degree program at a college or university in the U.S. unless and until your immigration status has been successfully changed to that of F-1 student by the Immigration and Naturalization Service (INS). This may take 2-3 months.

- This new rule applies only to those who obtained or extended their B-1 or B-2 status on or after April 12, 2002 (that is, those who entered the U.S. on or after April 12, 2002 in B status, and those who were in the U.S. prior to April 12, 2002 and applied to have their B status extended on or after April 12, 2002).

- This rule does not apply to individuals who are currently in the U.S. with unexpired B-1 or B-2 status if they entered before April 12, 2002, and did not request an extension on or after April 12, 2002.

- Also, a B-1/B-2 nonimmigrant visa holder is prohibited from changing status to F-1 status unless he/she declares an intention to study to the immigration officer at the time of admission to the U.S., thus obtaining the notation “prospective student” on his/her I-94 card.

⇒ Visa Issuance Update:

- All students (new or returning) who are in need of a student visa stamp in their passport should anticipate that the visa issuance process may require additional paperwork, be more difficult and take longer than in the past.

- Arab and Muslim men ages 16 to 45 are subject to heightened security on visa applications and are required to complete a detailed questionnaire on their backgrounds. Countries affected are: Afghanistan, Algeria, Bahrain, 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. This adds 20 days to the visa process.

- Any alien who is a national of a country that is considered to be engaged in state-sponsored international terrorism may not be issued a visa unless the Secretary of State determines that this individual does not pose a safety or security threat. This determination will be made after a thorough background check. At present, countries considered to be state sponsors of international terrorism are: Cuba, Iran, Iraq, Libya, North Korea, Sudan and Syria.
Travel to Canada, Mexico or Adjacent Islands:

- An F-1 or J-1 student traveling to Canada, Mexico or adjacent islands for less than 30 days (other than citizens of Cuba, Iran, Iraq, Libya, North Korea, Sudan and Syria) can re-enter the United States with an expired visa, as long as he/she is in possession of a valid I-94 card and valid I-20 signed for travel. This is called “automatic revalidation of visa” and means that a student with an expired visa may re-enter the U.S. as though the visa were still valid.

- Citizens of Cuba, Iran, Iraq, Libya, North Korea, Sudan and Syria who are in the U.S. in nonimmigrant status are not eligible for the automatic revalidation of visa benefit. This means that they will not be able to return to the U.S. after visiting Canada, Mexico or adjacent islands with an expired visa.

- If a person applies for a new F-1 or J-1 visa (or a renewal) while in Canada, Mexico or adjacent islands, the person will have to wait for visa approval in order to return to the United States. If the U.S. visa application is denied, that person will not be permitted to re-enter the U.S. under the automatic revalidation of visa benefit. Therefore, individuals should be prepared to return to their home country to apply for a new visa, rather than applying in Canada, as was often done in the past. This is recommended in most cases and for citizens of most countries.

Full-Time Enrollment Reminder:

- As an F-1 student, you must be registered full-time in a degree program (special rules apply to J-1 exchange students). For undergraduates, full-time means a minimum of 12 credits each fall and spring semester. For graduate students, full-time is 9 credits per semester. If you do not enroll full-time or drop below full-time later in the semester, you will be considered out of status by the INS. You should always check with the Office of International Programs and Services before dropping a class.

- Students are not required to enroll during summer (but are allowed to do so).

Off-Campus Work Authorization Reminder:

- Please remember that F-1 and J-1 students may not seek or accept paid off-campus employment (including Co-op internships) without written authorization from a Designated School Official (DSO) in the Office of International Programs and Services at Pace. Some types of off-campus work also require the approval of the INS (such as post-completion Optional Practical Training). Working without authorization or with expired authorization is a serious immigration violation. You will be considered out of status by the INS if you do so.