

# U.S. VISAS

U.S. Department of State · Bureau of Consular Affairs



## VISITOR VISAS - BUSINESS AND PLEASURE

### Overview

Generally, a citizen of a foreign country who wishes to enter the United States must first obtain a visa, either a nonimmigrant visa for a temporary stay or an immigrant visa for permanent residence. The visa allows a foreign citizen to travel to a U.S. port of entry and request permission of the U.S. immigration inspector to enter the United States.

A "visitor" visa is a nonimmigrant visa and generally is used to enter the United States temporarily for business (B-1), for pleasure or medical treatment (B-2), or a combination of these purposes (B-1/B-2).

**Business Visitor Visas (B-1)** - If the purpose of the planned travel is business related, for example, to consult with business associates, attend a scientific, educational, professional or business conference, settle an estate, or negotiate a contract, then a business visitor visa (B-1) would be the appropriate type of visa for the travel. For more details on these and other activities that you can undertake while in B-1 status, visit [travel.state.gov](http://travel.state.gov) to see the handout on "Business Travel to the United States."

**Personal or Domestic Employees:** Under immigration law, qualified personal or domestic employees may travel to the United States as business visitors under certain circumstances when accompanying:

I) a U.S. citizen employer who lives permanently outside the United States or is stationed in a foreign country and is visiting or is assigned to the United States temporarily; OR 2) a foreign citizen employer in the United States who is in B, E, F, H, I, J, L, M, O, P, or Q nonimmigrant visa status.

**Important Notice:** The William Wilberforce Trafficking Victims Protection Reauthorization Act (WVTPA) of 2008 requires that an individual applying for a B-1 domestic employee visa be made aware of his or her legal rights under federal immigration, labor, and employment law. You will find information on your rights and protections on [travel.state.gov](http://travel.state.gov).

**Pleasure, Tourism, Medical Treatment - Visitor Visas (B-2)** - If the purpose of the planned travel is recreational in nature, including tourism, visiting friends or relatives, rest, or is related to medical treatment, activities of a fraternal, social, or service nature, or participation by amateurs who will receive no remuneration in musical, sports and similar events or contests, then a visitor visa (B-2) would be the appropriate type of visa for the travel. Persons planning to travel to the United States for a different purpose including students, temporary workers, crew members, or journalists, must apply for a different category of visa.

You will find additional information on B-2 requirements on [travel.state.gov](http://travel.state.gov).

**Note:** Representatives of the foreign press, radio, film, journalists or other information media, engaging in that vocation while in the United States, require a nonimmigrant Media (I) visa and cannot travel to the United States using a visitor visa or on the Visa Waiver Program.

### Visa Waiver Program

Travelers coming to the United States for tourism or business (B-1 or B-2 category visa) purposes for 90 days or less from qualified countries\* may be eligible to travel without a visa if they meet the Visa Waiver Program (VWP) requirements.

Currently, 38 countries\* participate in the VWP. For a list of participating countries\* and additional information on VWP requirements, see the Department of State's [travel.state.gov](http://travel.state.gov) website.

\*With respect to all references to "country" or "countries" on this page, it should be noted that the Taiwan Relations Act of 1979, Pub. L. No. 96-8, Section 4(b)(1), provides that "[w]henever the laws of the United States refer or relate to foreign countries, nations, states, governments, or similar entities, such terms shall include and such laws shall apply with respect to Taiwan." 22 U.S.C. § 3303(b) (1). Accordingly, all references to "country" or "countries" in the Visa Waiver Program authorizing legislation, Section 217 of the



Immigration and Nationality Act, 8 U.S.C. § 1187, are read to include Taiwan. This is consistent with the United States' one-China policy, under which the United States has maintained unofficial relations with Taiwan since 1979.

### **Qualifying for a Visitor Visa**

There are specific requirements which must be met by applicants to qualify for a visitor visa under U.S. immigration law. The consular officer at the embassy or consulate will determine whether you qualify for the visa.

**The required presumption under U.S. law is that every visitor visa applicant is an intending immigrant until they demonstrate otherwise. Therefore, applicants for visitor visas must overcome this presumption by demonstrating:**

- That the purpose of their trip is to enter the United States temporarily for business or pleasure;
- That they plan to remain for a specific, limited period;
- Evidence of funds to cover expenses in the United States;
- That they have a residence outside the United States as well as other binding ties that will ensure their departure from the U.S. at the end of the visit.

### **Applying for a Visitor Visa**

Applicants for visitor visas should generally apply at the nearest U.S. Embassy or Consulate in the country where they live. It is important to apply for a visa well in advance of the travel departure date.

As part of the visa application process, an interview at the embassy or consulate consular section is required for visa applicants aged 14-79, with some exceptions. For example, persons age

13 and younger and age 80 and older generally do not require an interview, unless requested by the embassy or consulate. Check the website of the U.S. Embassy or Consulate in your home country for details.

Making the appointment for an interview is the first step in the visa application process. The wait time for an interview appointment for applicants can vary, so early application is strongly encouraged. Visa wait times for interview appointments and visa processing times for each U.S. Embassy or Consulate are available on [travel.state.gov](http://travel.state.gov) and on most U.S. Embassy or Consulate websites.

You can learn how to schedule an appointment for an interview, pay the application-processing fee, review embassy-specific instructions, and much more by visiting the website of the U.S. Embassy or Consulate where you will be applying. You will find a list of all embassy or consulate websites at [usembassy.gov](http://usembassy.gov).

You will need to complete the electronic application form DS-160 before your interview. During the visa application process, an ink-free, digital fingerprint scan will be taken. Some visa applications require further administrative processing, which takes additional time after the visa applicant's interview by a Consular Officer. For information about required documentation and fees, please visit [travel.state.gov](http://travel.state.gov).

### **Additional Information**

No assurances regarding the issuance of visas can be given in advance. Therefore final travel plans or the purchase of non-refundable tickets should not be made until a visa has been issued.

- Unless canceled or revoked, a visa is valid until its expiration date. If your passport expires, you may use the expired visa for travel and admission

to the United States along with your new valid passport containing the same biographic data. Do not remove the visa page; instead carry both passports together.

- Visitors are not permitted to accept unauthorized employment during their stay in the United States.

### **Visa Denials**

- If the consular officer finds it necessary to deny the issuance of a visitor visa, the applicant may apply again if there is new evidence to overcome the basis for the refusal. For additional information on visa denials, go to [travel.state.gov](http://travel.state.gov).

### **Further Visa Inquiries**

- Questions on post-specific visa application procedures and visa ineligibilities should be made to the U.S. Embassy or Consulate where you will be applying. Before submitting your inquiry, please be sure to review [travel.state.gov](http://travel.state.gov) and the particular embassy or consulate's website.
- If your inquiry concerns a visa case in progress overseas, you should first contact the U.S. Embassy or Consulate handling your case for status information. If, after reviewing [travel.state.gov](http://travel.state.gov), you have further questions, contact Visa Services.

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March 2014

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# United States Visa System

*Information for Experts from the People's Republic of China  
Attending Meetings of the ISO and IEC Held in the United States*

March 2005  
American National Standards Institute

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## **FOREWORD**

This document has been developed by the American National Standards Institute (ANSI) in response to concerns that technical experts from the People's Republic of China have been denied entry visas to the United States for attendance at technical committee meetings of the International Electrotechnical Commission (IEC) or the International Organization for Standardization (ISO). It is intended to assist meeting sponsors and Technical Committee leaders in their communication with potential meeting participants from outside the U.S. on visa processing requirements and to give readers a better understanding of the process, care and time needed for Chinese experts or business guests to make a successful visa application. Also included are links to various Embassy or Consulate resources that will simplify the job of communicating correct and useful information related to obtaining a visa.

The information resources that follow include materials compiled from the American Embassy in Beijing and from the U.S. Department of State. Certain of the tips that are offered are taken from interviews with a U.S. Foreign Commercial Service officer who was formerly posted to China and who has significant personal experience with business visas from that nation. Information is current as of January 2005.

Certain elements of this document may also be applicable to other businesses, organizations, educational institutions and government agencies that wish to invite delegates from the Peoples's Republic of China to meetings and/or conferences that are being held in the U.S.

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## **United States Visa System**

***Information for Experts from the People's Republic of China***

***Attending Meetings of the ISO and IEC Held in the United States***

### **1. Introduction**

All individuals who apply at a Consulate or Embassy abroad for a United States entry or re-entry visa are screened before the visa is issued, regardless of nationality. The U.S. has strict visa laws because it is an open society. Unlike many other countries, the nation does not impose internal controls such as registration with local authorities on its visitors. Yet, in order to enjoy the privilege of unencumbered travel in the U.S., certain requirements must be met.

In particular, a foreign traveler has a responsibility to prove that he or she is going to return home from travel abroad before a visitor visa will be issued. U.S. consular officers are required by law to view every visa applicant as an intending immigrant until the applicant proves otherwise. Section 214(b) of the *U.S. Immigration and Naturalization Act* states: "Every alien shall presumed to be an immigrant until he establishes to the satisfaction of the consular officer, at the time of application for admission, that he is entitled to a nonimmigrant status." Though the actual approval rate for first time visa applicants processed during 2004 through the U.S. Embassy in Beijing remains near 70%, most of those visa applications that were denied were refused under the terms of Section 214(b).

## **2 U.S. Visa Types for Business Travel**

The United States issues two types of visas: Immigrant and Nonimmigrant.

Within the nonimmigrant classification, multiple types of visa classes exist. “B” type visa referrals are appropriate for standardization experts from the People’s Republic of China who are invited to the U.S. to participate in either a meeting of the International Electrotechnical Commission (IEC) or the International Organization for Standardization (ISO), or for those who are invited by U.S. firms as temporary visitors for business.

Visa Class – Type “B”	Purpose of Travel
<b>B1</b>	Temporary visitor for business
<b>B2</b>	Temporary visitor for pleasure
<b>B1/B2</b>	Temporary visitor for business or pleasure

*[NOTE: For a complete list of visa classes, please see Annex A of this document.]*

The B1 visa is intended for temporary business travel. This includes such travel as for the purpose of negotiating contracts, attending exhibitions and conferences, short-term training, and consultations with suppliers and customers. The B1 visa is not valid for employment in the U.S.

The B2 visa is intended for tourist activities, such as sightseeing, visiting friends and relatives, obtaining medical treatment, and attending non-vocational conferences and meetings. Visitors are not permitted to accept employment during their stay in the U.S. B2 visas are valid for one entry within three months of the issuance date.

In some instances, a consular officer may elect to issue a B1 visa jointly with a B2 visa type. Generally, a B1/B2 visa means that while in the U.S. as a business visitor, an individual may attend meetings, and participate in them fully, conduct research, and engage in other business negotiations. Some B1/B2 visas are annotated to note a specific purpose of the trip to the U.S.

**NOTE:** Effective January 15, 2005, qualifying Chinese nationals will receive B1 or B2 type visas that are valid for twelve (12) months and multiple entries. The previous maximum validity for U.S. visas issued for these purposes was only six months. The Chinese Ministry of Foreign Affairs will issue visas reciprocally to U.S. citizens visiting China. This agreement is intended to help to ease the burden for businesses that have Chinese clients and staff visiting their facilities on multiple occasions during the course of a year.

### **3 Applying for a B-Type Visa**

After the events of September 11, 2001, the U.S. Department of State introduced changes that have lengthened the visa application process. For example, in addition to the usual *Nonimmigrant Visa Application* (form DS-156), all nonimmigrant visa applicants over the age of 16 must also complete and submit the *Supplemental Nonimmigrant Visa Application* (form DS-157). This form is required of all applicants, regardless of nationality and regardless of where the applicant applies.

The consular post will conduct an initial review of the application and related documentation and clarify any outstanding questions during a subsequent interview.<sup>1</sup> In general, an applicant must be able to demonstrate his or her intention to enter the United States for a temporary period and solely for the purpose of tourism and/or short-term business. The applicant must also provide evidence of financial ability to cover his or her travel expenses to/from and stay in the United States. Finally, he or she must demonstrate sufficiently strong social, economic, and other ties to compel the applicant to return to China after the temporary and lawful visit to the U.S.

In addition to the documentation listed below, please be advised that, since March 2004, the U.S. Embassy in Beijing has been collecting biometric identifiers such as fingerprints from all nonimmigrant visa applicants. This is related to the U.S. implementation of requirements for machine-readable passports, newer “biometric” passports that contain an identifying marker such as a fingerprint scan, and U.S. visas that contain a biometric indicator. A massive new database, the US-VISIT entry and exit control system, has also been introduced at major American border crossings. These measures help to increase the security of travel documents and help to ensure that the document holder is a legitimate traveler.

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<sup>1</sup> A nonimmigrant visa applicant who has previously traveled to the U.S. using a B-type visa that (1) expired less than one year ago and (2) who is applying for the same type of visa, may drop his/her visa application and application fee receipt at a U.S. Consulate for adjudication. The consular officer reserves the right to require such applicants to appear for a subsequent interview if there are questions unanswered by the application and supporting documentation.

### **3.1 Documentation**

Applicants are encouraged to exercise care when completing the requested paperwork. Issues that may cause problems or delays in the visa application process include:

- The applicant has not spelled his/her name consistently on all documents (passport, visa application, supporting documentation). This can cause delays and confusion. The name given on the visa application and supporting documentation should be exactly the same as the name listed on the passport.
- The applicant has not read and followed the tips and guidance on the website of the U.S. consular post having jurisdiction over the visa application; this can cause delays or denial.
- The consular post cannot understand the kind of work the person is doing and officers cannot assess the risk/benefit of granting the person a visa. A security clearance will likely be requested if the field is unclear.
- The applicant is from a country considered to pose a risk or is working in a field that is considered “sensitive” in some way, or if the Consular Lookout (CLASS) system turns up a “hit” on his/her name. The consular officers may tell the individual that a Security Advisory Opinion<sup>2</sup> (SAO) is needed. The consular post will send the applicant away telling him/her that the Security Advisory Opinion will take an undetermined period of time and he/she will be notified when it has been completed.

#### **B1 Visa (Temporary Visitor for Business)**

Applicants are advised to bring the following documentation:

- a) Two completed DS-156, *Nonimmigrant Visa Application*, application forms – one in English and one in Chinese
- b) Two completed DS-157, *Supplemental Nonimmigrant Visa Application*, application forms – one in English and one in Chinese – submitted by all nonimmigrant visa applicants over the age of 16
- c) Two color passport-sized photographs taken within the past six months (size: 2" / 50 mm square; full face with head centered in the frame; taken against a white or off-white background)
- d) A passport, which must be valid for more than six months (an alien presenting a passport valid for six months or less would be inadmissible at a port of entry)

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<sup>2</sup> A Security Advisory Opinion (SAO) is a request from a consular post to the Department of State in Washington, D.C. to initiate the process of requesting clearances from various government agencies and databases including the Federal Bureau of Investigation, Central Intelligence Agency, Drug Enforcement Agency, Department of Commerce, Office of Foreign Asset Control, Interpol, the national criminal and law enforcement databases, and others.

In January 2005, the State Department issued an updated Technology Alert List (TAL) to overseas consular officials on sensitive technology relating to the development of nuclear and other weapons of mass destruction. The previous TAL guide resulted in too many Chinese applicants being rejected even though their technology interests appeared to be of a non-sensitive nature.

- e) Application fee receipt. (All applicants for nonimmigrant visas must pay a non-refundable application fee of RMB 830<sup>3</sup> (approximately US\$100) payable at the designated branches of the CITIC Bank. Both copies of the CITIC Bank fee receipt must be included with all visa applications.)
- f) A completed family biographic data form
- g) A letter of invitation from the U.S. company stating the purpose and length of the trip (this letter should also indicate who will bear financial responsibility for the trip)
- h) Documentation establishing the sponsoring company's bona fides, such as company registration and licenses, letters of credit, and evidence of past and existing business activities
- i) Documentation establishing the applicant's company's relationship with the inviting company, such as past correspondence, contracts, bills of lading, etc.
- j) Documentation establishing your personal status, such as marriage certificates, letters confirming employment, bank statements, pay slips, proof of home ownership, proof of prior travel outside China, copies of relatives' visas that have traveled to the U.S. and proof of the relative's current status in the U.S., etc.

#### B2 Visa (Temporary Visitor for Pleasure)

Applicants are advised to bring items (a) through (f) as described above, as well as:

- g) A letter of invitation from friends or relatives in the U.S., or a letter confirming participation in a tour group or conference
- h) Documents demonstrating your ability and intention, or that of friends or relatives in the U.S., to support your travel and other expenses. Documents can include marriage certificates, letters confirming employment, bank statements, pay slips, proof of home ownership, proof of prior travel outside China, copies of relatives' visas that have traveled to the U.S. and proof of the relative's current status in the U.S., etc.

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<sup>3</sup> In most locations, CITIC Industrial Bank charges a non-refundable service fee of RMB200. The fee may be slightly higher in certain locations. For more information about submitting visa applications at a local branch of CITIC Industrial Bank, please see their website (<http://www.ecitic.com/citicib/index.jsp>).

### **3.2 Submitting a Visa Application**

Visa applications should be submitted to the U.S. consular post geographically closest to the applicants home or work.

<b>Consular District</b>	<b>Municipalities and Provinces</b>	<b>Internet Address</b>
<b>Beijing (U.S. Embassy)</b>	Beijing, Tianjin, Xinjiang, Qinghai, Gansu, Shaanxi, Ningxia, Shanxi, Inner Mongolia, Hebei, Henan, Shandong, Hubei, Hunan or Jiangxi	<a href="http://www.usembassy-china.org.cn/visa">http://www.usembassy-china.org.cn/visa</a> Visa Information Call Center: 4008-872-333
<b>Chengdu</b>	Chongqing, Guizhou, Sichuan, Tibet, Yunnan	<a href="http://www.usembassy-china.org.cn/chengdu/cons/visa_types.html">http://www.usembassy-china.org.cn/chengdu/cons/visa_types.html</a> Visa Information Call Center: 4008-872-333
<b>Guangzhou</b>	Fujian, Guangdong, Guangxi, Hainan	<a href="http://www.usembassy-china.org.cn/guangzhou/iv/">http://www.usembassy-china.org.cn/guangzhou/iv/</a> Visa Information Call Center: 4008-872-333
<b>Shanghai</b>	Anhui, Jiangsu, Shanghai, Zhejiang	<a href="http://www.usembassy-china.org.cn/shanghai/visa/">http://www.usembassy-china.org.cn/shanghai/visa/</a> Visa Information Call Center: 4008-872-333
<b>Shenyang</b>	Heilongjiang, Jilin, Liaoning	<a href="http://www.usembassy-china.org.cn/shenyang/cons/visa.html">http://www.usembassy-china.org.cn/shenyang/cons/visa.html</a> Visa Information Call Center: 4008-872-333
<b>Hong Kong</b>	Hong Kong and Macau	<a href="http://www.usconsulate.org.hk/consular/visa.htm">http://www.usconsulate.org.hk/consular/visa.htm</a> Visa Information Call Center: 4008-872-333

### **3.2.1 Scheduling an Interview via the Visa Information Call Center**

Within China: 4008-872-333

Overseas: (86-21) 3881-4611

*International toll charges are solely the responsibility of the caller*

In March 2004, the Consular Section at the U.S. Embassy in Beijing and at the U.S. Consulates in Mainland China implemented a Visa Information Call Center (<http://www.usembassy-china.org.cn/visa/cal.html>) designed to provide callers with easy access and accurate and timely information regarding the visa process and improve customer service for visa applicants. All nonimmigrant visa appointments will be made through the Visa Information Call Center.

Services are offered in Mandarin, Cantonese, English, the Fuzhou dialect and the Taishan dialect. Pre-recorded visa information is available 24 hours a day, 7 days a week. Live operators are available from 07:00 to 19:00, Monday through Friday and 08:00 to 17:00, Saturday.

This is a user-pays service and the charge is 54 RMB (approximately US\$7) for twelve (12) minutes or 36 RMB (approximately US\$4) for eight (8) minutes. Any unused minutes can be reused at a later time or transferred to another party. Currently, there are three methods of payment: CITIC pre-paid PIN card, credit or debit cards.

NOTE: Some credit card users may need to first register with their bank for a program called “pay internet” which enables credit card holders to make purchases over the phone.

### **3.2.2 Non-Appointment Interviews via the Beijing Business Visa Program**

The productive relationships that many consular posts enjoy with local American Chambers of Commerce (AmCham) – and similar organizations – help to facilitate the full and timely attention given to visa applications submitted by legitimate foreign business travelers, especially those involved in trade, negotiations and other dealings with U.S. companies. As an example, Beijing’s Business Visa Program has more than 400 participating companies. Applicants from those companies can apply to a consular officer at the U.S. Embassy in Beijing – without an appointment – any morning between 10:00 and noon, once the AmCham has notified the Embassy of the applicant’s intention to apply.

### **3.2.3 Non-Appointment Interviews via the Chengdu Expedited Visa Appointment Program**

In anticipation of a growing need for business travel, the U.S. Consulate in Chengdu launched in December 2004 a new Expedited Visa Appointment Program for business visa applicants from qualifying American Chamber of Commerce company employees. The program allows a visa applicant to come to the Chengdu Consulate without having to make an appointment through the China-wide call center.

Interested companies are encouraged to contact the Sichuan American Chamber of Commerce directly ([amcham@amcham-sichuan.org](mailto:amcham@amcham-sichuan.org)) to express interest in joining this program and to request an expedited appointment letter. With this letter, an applicant may appear at the Chengdu Consulate from 08:30 to 10:30 or at 13:00 from Monday to Thursday for an appointment-free visa interview. All other requirements for an application, fee receipt and supporting documents to indicate the purpose of the trip and strong ties to China apply. Approved applicants will receive their visas after 16:00 the same day.

Only direct employees of companies holding membership in the Sichuan AmCham and that have significant business interests in the U.S. may apply for a visa under the program (no distributors, customers, family members, etc. are allowed).

### **3.3      Applicant's Interview with a Consular Officer**

Applicants are encouraged to arrive at the Embassy or Consulate well before the scheduled appointment time. Business attire is recommended. For security reasons, cellular phones, cameras, beepers, briefcases, luggage and handbags will not be allowed during the interview, nor can anyone accompany an applicant to his or her personal interview.

During the interview the consular officer will question the applicant about his or her planned activity in the U.S. It is at this initial stage that clear and concise information about the purpose of the travel abroad should be explained and any supporting documentation submitted for review by the consular officer.

For example, delegates to an ISO or IEC technical committee or subcommittee meeting being hosted in the U.S. might wish to bring invitation letters, as well as copies of official meeting documents, such as calling notices, meeting logistical information (venue, hotel information, etc.) and draft agendas to the interview.

*[NOTE: See Section 4 of this document for additional information.]*

Verbal answers must match the information in the invitation letter or any other supporting documentation that had been presented to the consular officer. Problems arise if applicants mislead or appear to mislead the interviewing officer as to their intent in visiting the U.S., which can happen when it appears they cannot answer simple questions about their trips. Once it appears that a falsification has occurred, the consular officer will question other information supplied by the applicant.

Throughout the interview, the applicant needs to keep in mind that, even more important than explaining why they have been invited to go to the United States, they need to persuasively demonstrate why it is they will come back to China. This can be demonstrated by proving ties in China that would compel them to leave the U.S. at the end of the temporary stay. This might include a high-status job and substantial income; national prominence in their field; ownership of a house, apartment or a car; close family relationships or dependents such as children or an elderly parent; a sizeable bank account, and so on. Well-organized documentation to prove such ties to China should be available and ready to present if requested by the consular officer.

The interview will be short (typically one to three minutes in duration). Consular officers handle thousands of applications every year and are experienced in making swift decisions. They will quickly review the application form(s) and supporting documents in order to narrow the range in which questions may need to be asked. Much of the necessary information required to make a decision is already supplied on the application form itself and in the invitation letter, so there is usually no need for the officer to ask more than a few additional questions.

While consular officers are trained to look at each application individually and consider professional, social, cultural and other factors, with younger applicants consular officers try to look at the applicant's specific intentions, family situations and long-range plans and prospects within his or her country of residence. Especially with younger applicants, the reason for most refusals is not the documents but the applicant's current overall situation was not adequate to overcome the presumption that he or she is an intending immigrant.

**NOTE:** An applicant that has been previously denied may reapply for a nonimmigrant visa at any time. If new information has become available which was not presented to the interviewing officer at the time of the first application, or if the applicant's overall circumstances have changed significantly since the last application, a visa may be approved.

### **3.3.1 Submitting Personal Commentary on Visa Cases**

Three times per week, the visa section of the U.S. Embassy in Beijing opens its doors to American citizens for the discussion of specific visa cases. Interested representatives must come prepared for the discussion by having the full name(s), passport number(s), and scheduled interview date(s) for each applicant.

The open period operates on a first come-first served basis from 16:00 to 17:00 every Monday, Wednesday, and Friday. All American citizens present by 16:00 will have an opportunity to speak to an officer that day; anyone arriving after that will only be seen if time permits. Only American citizens are allowed to take advantage of this opportunity, not citizens of any other countries or legal permanent residents of the U.S.

Any U.S. organization wishing to comment on a specific visa application but that is unable to reach the Embassy directly may send a communication via telefax (+86-10-6532-3178) to the Chief of the Visa Section, U.S. Embassy in Beijing. [NOTE: In January 2005, the Chief of the Visa Section is Mr. Thurmond Borden.]

The State Department has also established a U.S.-China Business Visa Initiative to assist businesses seeking visas for clients and partners by providing a dedicated email ([businessvisa@state.gov](mailto:businessvisa@state.gov)) and telephone link (+1.202.663.3198) to visa officials in Washington, DC responsible for China.

More information on doing business in China may be found by visiting the U.S. Foreign and Commercial Service website <http://www.buyusa.gov/china/en/>.

### **3.4 Timing Issues**

Applications should be submitted far enough in advance of the scheduled travel, but no so far that the visa cannot be used before its expiration. The expiration date of the visa notes the *last* day a traveler may use the visa to apply to enter the United States. The expiration date is *not* the last day the traveler is allowed to remain in the U.S.

Every time a traveler plans to travel to the U.S, he/she must assure that his or her passport is valid for at least six months from the time he/she plans to depart the U.S. A traveler may travel with two passports – one expired passport with a valid visa and a new passport. Applicants are also encouraged to allow sufficient time for such actions as obtaining a passport from the Chinese government.

### **3.5 Visa Application Procedure (Summary)**

Pay the non-refundable application fee  
*Collect two receipts from the CITIC Industrial Bank*



Make an appointment for interview  
*Waiting times vary case by case but may extend longer than two or three months; it is recommended to apply as soon as possible*



Prepare all paperwork  
*Attach a recent photo to form DS-156; if necessary, complete form DS-157*



Bring all the documents to interview on the scheduled appointment date



Upon approval, visas will generally be issued shortly following completion of the interview or a claim ticket identifying the date and time the visa will be ready will be provided

#### **4      Issuing Invitations to Chinese Nationals to Attend IEC or ISO Meetings Hosted in the U.S.**

Organizations hosting a meeting of ISO or IEC in the United States, or who wish to invite Chinese business partners or customers to the U.S. for meetings, contract negotiations, equipment inspection purchase or other business related activities, can provide supporting documents for consideration during the visa application process.

An invitation letter written on behalf of an applicant can become an essential component of the package provided by the applicant for review by the consular officer during the interview process. In all cases, the letter must be neat, accurate, and credible, and signed by a representative of the official host of the meeting that is being held in the United States:

- For meetings of the IEC, a representative of the U.S. National Committee of the IEC (USNC/IEC) will prepare the invitation letter.
- For meetings of the ISO, a representative of the American National Standards Institute (ANSI) will prepare the invitation letter.

Delegates who request an invitation letter from the USNC/IEC or from ANSI are requested to provide the following information:

- Name (as shown on the passport)
- Passport number
- Date of birth
- Employer and title
- Contact information (address; telephone; telefax and e-mail address)

The invitation letter will include contact information (telephone, telefax and e-mail address) for the appropriate USNC/IEC or ANSI contact person should the interviewing officer has further questions. If available, relevant meeting documents – such as a draft agenda – will also be included.

The requesting delegate will receive a signed copy of the invitation letter via telefax or hard-copy mail (airmail) and an un-signed copy via e-mail.

Each applicant or group of applicants must present his/her/their own application materials. If a particular document has not been given to the applicant(s) to present to the officer at the time of interview, assume the officer has not seen it.

## **5        Visa Facilitation Initiatives**

Public outreach continues to be the key component of the U.S. State Department's efforts to facilitate business travel and educate the American and international business community about the visa process. The U.S. State Department's Bureau of Consular Affairs (CA) has introduced some significant changes to help facilitate travel and make the visa process more transparent. For instance, interagency discussions recently yielded a much-improved Visas Mantis SAO (Security Advisory Opinion) process; processing times have shortened considerably, and the process is more predictable. Also, the amount of visa data published on State Department websites has been increased.

In an October 20, 2004, memorandum from then-Secretary of State Colin Powell to Special Embassy Posts on the subject of facilitating business travel, the former Secretary expressed his commitment to ensure that posts have the resources necessary to achieve his goal of "Secure Borders, Open Doors" and highlighted some of the most common and effective facilitation initiatives in place worldwide:

### **Formal Facilitation Programs**

Many posts have established formal facilitation programs that enroll major companies and permit their employees to obtain expedited appointments, and/or expedited processing on the day of the interview. Typically, companies must meet strictly established criteria in order to be enrolled, and must adhere to strict standards to stay in the program. Site visits are often critical to determine a company's eligibility. While membership in these programs commonly is limited to companies that are members of host country's American Chamber of Commerce (AmCham), many posts enroll non-AmCham companies as well. Variations of membership include only allowing participation by employees of companies that have been members of AmCham for at least one year, or limiting it to individuals applying for visas for business purposes, as opposed to those applying to visit the U.S. for tourism. Common characteristics of formal programs include:

- Collecting examples of each company's letterhead and the signatures of authorized company representatives for comparison purposes. Some posts make available to officers at their desktop an electronic database of member companies' profiles, including scanned images of its letterhead and signatures.
- Allocating a specific number of visa appointments daily to businesspeople applying through the program. One mechanism to trigger expedited appointments is assigning companies specific codes, and requiring applicants to indicate such codes when scheduling an appointment. Posts allowing walk-ins usually require applicants to present a letter issued by an authorized representative of their company.

### **Group Appointments**

Many posts expedite appointments for groups and/or schedule group appointments, and establish specific time blocks when business groups may appear for interview.

### **Time Block Set-Asides**

Specific time blocks may be set aside weekly to allow certain categories of applicants to appear without an interview. Categories may include all petition-based applicants, applicants with B visa referrals, individuals traveling on U.S. Government (USG)-sponsored trips, government and military officials of a certain rank, and more.

### **Business Facilitation Units**

Many posts assign specific officers and/or establish business facilitation units to serve as a point of contact for the business community. This may include establishment of special e-mail addresses and/or phone numbers to address questions from the business community and dispense information on the visa process.

### **Training**

Regular business visa training for consular officers addresses a country's economic conditions, provides information on the structure of the country's business community, and discusses business-interviewing techniques. The training usually is coordinated by the consular and economic or commercial sections, and may also include representation from the front office and public diplomacy section.

Recognizing that certain posts' ability to facilitate business travel is impacted by larger foreign policy issues, all CA posts were encouraged to employ one or more of the initiatives described above while retaining the flexibility to accommodate urgent requests for appointments when appropriate.

## **6        Business Passports**

A Chinese national who wishes to travel with a business passport (i.e., a passport issued through his or her company and with only a two-year validity), will be required to follow somewhat different procedures than described in this document.

In general, most Chinese companies will develop a visit plan for the next calendar year no later than December 31 of the preceding year. An expert who wishes to attend a meeting or event abroad and travel on a business passport should submit his or her request in the visit plan being considered by his or her company. The company's visit plan will then be submitted to the relevant authority for consideration and approval. This authority might be a Ministry, City Government or Industry Association that has been authorized by the Central government to conduct foreign affair matters.

Upon approval of the company's plan, this authority will be responsible for assisting individual applicants with preparations for their visit(s) abroad. This assistance will include an explanatory letter to the U.S. Embassy that clearly indicates who will bear the traveler's expenses while in the U.S., who is sending the expert, who invited the expert and for what purpose.

The competent authority will submit to the Ministry of Foreign Affairs the entire visa application package (as prepared by the traveler), including the other required documents described earlier in this text. The Ministry of Foreign Affairs will send all documents concerned to the U.S. Embassy and will advise the employee of the interview date. If the visa application is approved, the Ministry will collect the approved visa from the U.S. Embassy on behalf of the Chinese applicant.

Experts who are interested in learning more about this procedure are encouraged to contact the relevant department within their own company.

## Appendix A

### U.S. Nonimmigrant Visa Classifications

Visa Class	Purpose of Travel
A1	Head of State or Government, Ambassador, public minister, career diplomatic or consular officer assigned to the U.S., and members of immediate family
A2	Foreign government officials on official business or employees of diplomatic or consular missions in the U.S., and members of immediate family
A3	Attendant, servant, or personal employee of A1 and A2 classes, and members of immediate family
<b>B1</b>	<b>Temporary visitor for business</b>
B2	Temporary visitor for pleasure
<b>B1/B2</b>	<b>Temporary visitor for business or pleasure</b>
C1	Alien in transit through the U.S.
C2	Alien in transit to the United Nations Headquarters District under Section 11.(3), (4), or (5) of the Headquarters Agreement with the United Nations
C3	Foreign government officials, members of immediate family, attendant, servant, or personal employee in transit
C1/D	Crew member/crew-list
E1	Treaty trader, spouse and children
E2	Treaty investor, spouse and children
F1	Student (academic or language training program)
F2	Dependent of F1
G1	Principal resident representative of recognized foreign member government to an international organization, his/her staff, and members of immediate family on long-term assignment
G2	Other representative of recognized foreign member government to an international organization, and members of immediate family on temporary assignment
G3	Representative of non-recognized foreign member government to an international organization, and members of immediate family
G4	International organization officer or employee and members of immediate family
G5	Attendant, servant, or personal employee of G1, G2, G3, or G4 class and members of immediate family

**Appendix A  
(continued)**

H1B(petition-based)	Temporary worker in a specialty occupation
H1C(petition-based)	Registered nurses
H2A(petition-based)	Temporary worker performing agricultural services unavailable in the United States
H2B(petition-based)	Temporary worker performing non-agricultural services unavailable in the United States
H3(petition-based)	Industrial trainee
H4(petition-based)	Dependent of H1, H2 or H3
I	Representative of foreign information media and dependents
J1	Exchange visitor
J2	Dependent of J1
L1(petition-based)	Intra-company transferee (executive, managerial, and specialized personnel continuing employment with an international firm or corporation)
L2(petition-based)	Dependent of L1
M1	Vocational student
M2	Dependent of M1
O1(petition-based)	Aliens with extraordinary ability in sciences, arts, education, business or athletics
O2(petition-based)	Aliens accompanying and assisting the above in a professional capacity
O3(petition-based)	Dependent of O1 or O2
P1(petition-based)	Athletes and entertainers for a specific competition or performance
P2(petition-based)	Athletes and entertainers participating in reciprocal exchange program
P3(petition-based)	Artists and entertainers performing under a program that is culturally unique
P4(petition-based)	Dependent of P1, P2 or P3
Q(petition-based)	International cultural exchange visitor
R1	Religious worker
R2	Dependent of R1
TN	Canadian or Mexican citizen working in a professional capacity under the North American Trade Agreement
TD	Spouse or child of TN

**Eligible Non-immigrants -- Persons with Visas that Allow them to Domicile in the United States**

Visa Type	Nonimmigrant (Temporary) Visa Categories	Eligible to Domicile in the United States?
A-1	Ambassadors, public ministers or career diplomats and their immediate family members	Yes
A-2	Other accredited officials or employees of foreign governments and their immediate family members	Yes
A-3	Personal attendants, servants or employees and their immediate family members of A-1 and A-2 visa holders	Yes
B-1	Temporary visitor for business	No
B-2	Temporary visitor for pleasure	No
C-1	Foreign travelers in transit through the United States	No
C-1D	Combined transit and crewmen visa	No
C-2	Person in transit to UN Headquarters under §11 (3), (4), or (5) of the Headquarter Agreement.	No
C-3	Foreign government official, members of immediate family, attendant or personal employee in transit	No
C-4	Transit without Visa. See TWOV	No
D-1	Crewmember departing on same vessel of arrival	No
D-2	Crewmember departing by means other than vessel of arrival	No
E-1	Treaty traders, spouse and children	Yes
E-2	Treaty investors, spouse and children	Yes
F-1	Academic student	No
F-2	Spouse or child of F-1	No
F-3	Academic students who are Canadian or Mexican citizens, who commute across the border to study full-time or part-time in the United States.	No**
G-1	Principal resident representative of recognized foreign member government to international organization, and members of immediate family.	Yes
G-2	Other accredited representatives of recognized foreign member governments to international organization and their immediate family members	Yes
G-3	Representatives of non-recognized or nonmember government to international organization, and members of immediate family	Yes
G-4	International organization officer or employee, and their immediate	Yes

<b>Visa Type</b>	<b>Nonimmigrant (Temporary) Visa Categories</b>	<b>Eligible to Domicile in the United States?</b>
	family members	
G-5	Attendants, servants and personal employees of G-1, G-2, G-3 or G-4 visa holders and their immediate family members	Yes
H-1B	Specialty Occupations, DOD workers, fashion models	Yes
H-1C	Nurses going to work for up to three years in health professional shortage areas	No
H-2A	Temporary agricultural workers	No
H-2B	Temporary workers, skilled and unskilled	No
H-3	Trainee	No
H-4	Spouse or child of H-1, H-2 or H-3 visa holders	H-4 dependents of H-1B Yes; all other H-4 dependents, no
I	Visas for foreign media representatives	Yes
J-1	Visas for exchange visitors	No
J-2	Spouse or child of J-1 visa holders	No
K-1	Fiancé(e)	Yes
K-2	Minor child of K-1	Yes
K-3	Spouse of a U.S. citizen (LIFE Act)	Yes
K-4	Child of a K-3 (LIFE Act)	Yes
L1-A	Executive, managerial	Yes
L1-B	Specialized knowledge	Yes
L-2	Spouse or child of L-1	Yes
M-1	Vocational or other nonacademic students, other than language students	No
M-2	Immediate families of M-1 visa holders	No
M-3	Vocational students who are Canadian or Mexican citizens, who commute across the border to study full-time or part-time in the U.S.	No**
N-8	Parent of alien classified as SK-3 "Special Immigrant"	Yes
N-9	Child of N-8, SK-1, SK-2, or SK-4 "Special Immigrant"	Yes
NAFTA	North American Free Trade Agreement (NAFTA) (see TN, below)	No

<b>Visa Type</b>	<b>Nonimmigrant (Temporary) Visa Categories</b>	<b>Eligible to Domicile in the United States?</b>
NAT O 1	Principal Permanent Representative of Member State to NATO and resident members of official staff or immediate family	Yes
NAT O 2	Other representatives of Member State; Dependents of Member of a Force entering in accordance with the provisions of NATO Status-of-Forces agreement; Members of such a Force if issued visas	Yes
NAT O 3	Official clerical staff accompanying Representative of Member State to NATO or immediate member	Yes
NAT O 4	Official of NATO other than those qualified as NATO-1 and immediate family	Yes
NAT O 5	Expert other than NATO officials qualified under NATO-4, employed on behalf of NATO and immediate family	Yes
NAT O 6	Members of civilian component who is either accompanying a Force entering in accordance with the provisions of the NATO Status-of-Forces agreement; attached to an Allied headquarters under the protocol on the Status of International Military headquarters set up pursuant to the North Atlantic Treaty; and their dependents	Yes
NAT O 7	Attendants, servants or personal employees of NATO-1, NATO-2, NATO-3, NATO-4, NATO-5 or NATO-6, or immediate	Yes
O-1	Extraordinary ability in the sciences, arts, education, business, athletics	Yes
O-2	Essential support staff of O-1 visa holders	No
O-3	Immediate family members of O-1 and O-2 visa holders	O-3 dependents of O-1 holders Yes; O-3 dependents of O-2 holders, No
P-1	Individual or team athletes	No
P-2	Artists and entertainers in reciprocal exchange programs	No
P-3	Artists and entertainers in culturally unique programs	No
P-4	Spouse or child of P-1, P-2 and P-3.	No
Q-1	International cultural-exchange visitors	No
Q-2	Irish Peace Process Cultural and Training Program (Walsh Visas)	No
Q-3	Spouse or child of Q-2	No
R-1	Religious workers	Yes

<b>Visa Type</b>	<b>Nonimmigrant (Temporary) Visa Categories</b>	<b>Eligible to Domicile in the United States?</b>
R-2	Spouse or child of R-1	Yes
S-5	Informant of criminal organization information	No
S-6	Informant of terrorism information	No
T-1	Victim of a severe form of trafficking in persons	Yes
T-2	Spouse of a T-1	Yes
T-3	Child of a T-1	Yes
T-4	Parent of a T-1 visa holder (if the child is under 21 years of age)	Yes
TC	No longer issued. TN issued in its place.	No
TD	Spouse or child accompanying TN	No
TN	Trade visas for Canadians and Mexicans in NAFTA	No
TPS	Temporary Protected Status	Yes
TWO V	Passenger or Crew	No
U-1	Victim of certain criminal activity	Yes
U-2	Spouse of a U-1	Yes
U-3	Child of a U-1	Yes
U-4	Parent of a U-1 visa holder (if the child is under 21 years of age).	Yes
V-1	Spouse of Legal Permanent Resident (LPR) who is the principal beneficiary of a family-based petition (I-130) which was filed prior to December 21, 2000, and has been pending for at least three years	Yes
V-2	Child of Legal Permanent Resident (LPR) who is the principal beneficiary of a family-based petition (I-130) which was filed prior to December 21, 2000, and has been pending for at least three years	Yes
V-3	Derivative child of a V-1 or V-2 visa holder	Yes

\*\* Please note: these international, commuting students may be eligible for a waiver of nonresident tuition under Texas Education Code §54.060(b).



# U.S. Citizenship and Immigration Services

# Topics of Discussion

- E Nonimmigrant Visas
- L Nonimmigrant Visas
- O Nonimmigrant Visas
- P Nonimmigrant Visas
- Employment-Based Immigrant Visas



U.S. Citizenship  
and Immigration  
Services

# Overview of E-1

- 1) Must be a national of treaty country
- 2) There must be substantial trade
- 3) Trade is principally with treaty country
- 4) E-1 employees must have executive/supervisory or essential skills
- 5) Must intend to depart the U.S.
- 6) Dependents



# Overview of E-2

- 1) Must be a national of treaty country
- 2) E-2 investor has invested or is in the process of investing in the enterprise
- 3) The business must be a bona fide enterprise and not marginal
- 4) The investment must be substantial
- 5) E-2 investors must direct and develop the enterprise
- 6) E-2 employees must have executive/supervisory or essential skills
- 7) Must intend to depart the U.S.
- 8) Dependents



# Overview of E-3

- 1) Numerical Limitation (Annual Cap)
- 2) Labor Condition Application (LCA)
- 3) A job offer in the U.S.
- 4) A specialty occupation
- 5) Australian citizenship



U.S. Citizenship  
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# L-1 Intra-company Transferee

- General Information:
  - A Labor Certification is not required
  - Allows a qualifying organization to petition for an alien who within the preceding three years has been employed abroad for one continuous year by a qualifying organization to be admitted temporarily to the United States to be employed by a parent, branch, affiliate, or subsidiary of that employer in a managerial or executive capacity, or in a position requiring specialized knowledge.
  - The qualifying organization may be a new office that is being opened or a pre-established office in the U.S.
  - The employer may petition for an employee through an individual petition process or through a blanket petition process.
  - Spouses and unmarried children under the age of 21 are eligible for an L-2 visa.
  - The L1 visa classification is divided into two separate visa classifications, L1-A for managers and executives and L1-B for an employee in a specialized knowledge capacity.



U.S. Citizenship  
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# L1-A Managerial and Executive

- The L1-A is the classification for intra-company transferees who are coming to the United States to work in a managerial or executive capacity.
- **Managerial capacity** means an assignment within an organization in which the employee primarily: (1) manages the organization, or a department, subdivision, function, or component of the organization; (2) Supervises and controls the work of other supervisory, professional, or managerial employees, or manages an essential function within the organization, or a department or subdivision of the organization; (3) Has the authority to hire and fire or recommend those as well as other personnel actions, or if not directly supervising employees, functions at a senior level within the organizational hierarchy or function managed, and (4) Exercises discretion over the day to day operations of the function for which the employee has authority.
- **Executive Capacity** means an assignment within the organization in which the employee: (1) Directs the management of the organization or a major component or function of the organization; (2) Establishes goals and policies; (3) Exercises wide latitude in discretionary decision making; and (4) Receives only general supervision or direction from higher level executives, the board of directors, or stockholders of the organization.
- **Maximum period of stay:** An L1-A has a maximum stay in the U.S. of seven years.



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# L1-B Specialized Knowledge

- The L1-B is the classification for intra-company transferees who are coming to the United States to work in a specialized knowledge capacity.
- **Specialized Knowledge Capacity** is defined as specialized knowledge possessed by an individual of the petitioning organization's product, service, research, equipment, techniques, management, or other interests and its application in international markets, or an advanced level of knowledge or expertise in the organization's processes and procedures.
- **Maximum period of stay:** An L1-B has a maximum stay in the U.S. of five years.



# O-1 Alien of Extraordinary Ability in Arts, Science, Education, Business, or Athletics

- Extraordinary ability in the field of science, education, business, or athletics means a level of expertise indicating that the person is one of the small percentage who have arisen to the very top of the field of endeavor.
- Extraordinary achievement with respect to motion picture and television productions, means a very high level of accomplishment in the motion picture or television industry evidenced by a degree of skill and recognition significantly above that ordinarily encountered to the extent that the person is recognized as outstanding, notable, or leading in the motion picture or television field.
- Extraordinary ability in the field of arts means distinction. Distinction means a high level of achievement in the field of arts evidenced by a degree of skill and recognition substantially above that ordinarily encountered to the extent that a person described as prominent is renowned, leading, or well-known in the field of arts.



# P Categories

- P-1:
  - A - Individual Athletes or Athletic Teams
  - B - Entertainment groups
- P-2: Artist or Entertainer under a Reciprocal Exchange Program
- P-3: Artist or Entertainer under a Culturally Unique Program P-1S:
  - Essential support of P-1
- P-2S: Essential support of P-2
- P-3S: Essential support of P-3
- P-4: Spouse and/or Child of P-1, P-2, or P-3 (Form I-539)



**U.S. Citizenship  
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Services**

# Employment Based Immigrant Visas

- **EB-1 Alien of Extraordinary Ability Visas. [INA §203(b)(1)(A). 8 CFR 204.5(h).]**

Petitions that are filed under this category must demonstrate that:

- (i) the alien has extraordinary ability in the sciences, arts, education, business, or athletics which has been demonstrated by sustained national or international acclaim and whose achievements have been recognized in the field through extensive documentation,
- (ii) the alien seeks to enter the United States to continue work in the area of extraordinary ability, and
- (iii) the alien's entry into the United States will substantially benefit prospectively the United States.

- **EB-2 Visas. [INA §203(b)(2). 8 CFR 204.5(k).]**

- The I-140 petitioner must submit evidence to establish that:
- the position must require an advanced degree or exceptional ability;
- the petitioner has the ability to pay the wage offered unless the petition includes a national interest waiver request; and
- There is a valid job offer.



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# Employment Based Immigrant Visas

- **EB-2 National Interest Waivers (NIW). [INA §203(b)(2)(B). 8 CFR 204.5(k) & 204.12.]**
  - In order for an alien to qualify for an NIW it must first be established that the alien is an advanced degree professional or an alien of exceptional ability as stated in 8 CFR 204.5(k)(3)(i) shown above.
- **EB-3 Skilled Worker and Professional Visas. [INA §203(b)(3)(i) & (ii). 8 CFR 204.5(l).]**
  - The E31 “**skilled workers**” classification applies to any position that requires at least two years of training or experience not of a temporary or seasonal nature for which qualified workers are not available in the United States. Relevant post-secondary education may be considered to be training.
    - An I-140 petition for a skilled worker must establish:
      - That the position requires at least two years of training or experience;
      - That the petitioner can demonstrate the ability to pay the offered wage;
      - That the petition is accompanied by a Labor Certification (Form 9089) which has been certified by the Department of Labor; or an uncertified ETA Form 9089 that has been submitted as a blanket labor certification under Schedule A.



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- The E32 “**professional**” classification means a qualified beneficiary who holds at least a U.S. baccalaureate degree or a foreign equivalent degree and who is a member of the professions.
- An I-140 petition for a professional must establish:
  - That the position requires at least a U.S. baccalaureate degree or a foreign equivalent degree and an individual who is a member of the professions;
  - That the petitioner can demonstrate the ability to pay the offered wage;
  - That the petition is accompanied by a Labor Certification (Form 9089) which has been certified by the Department of Labor; or an uncertified ETA Form 9089 that has been submitted as a blanket labor certification under Schedule A.



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# Student Visa

## Overview

Generally, foreign nationals who wish to travel to the United States must first obtain a visa, either a nonimmigrant visa for a temporary stay, or an immigrant visa for permanent residence. You must have a student visa to travel to the United States to study. Your course of study and the type of school you plan to attend determine whether you need an F visa or an M visa.

To enter the United States to attend:	You need the following visa category:
University or college	
High School	
Private elementary school	
Seminary	F
Conservatory	
Another academic institution, including a language training program	
Vocational or other recognized nonacademic institution, other than a language training program	M

### Students cannot travel on the Visa Waiver Program or with Visitor Visas

You must have a student visa (F or M visa) to travel to the United States to study. You may not study after entering on a visitor (B) visa, unless you are eligible for and have obtained a change of status from USCIS, or through the Visa Waiver Program (VWP), except to undertake recreational (non-credit) study as part of a tourist visit. For more information on the VWP, see [Visa Waiver Program](#).

### For short periods of recreational study, a Visitor (B) visa may be appropriate

A visitor (B) visa permits enrollment in a short recreational course of study, which is not for credit toward a degree or academic certificate. Learn more about [Visitor Visas](#).

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Study leading to a U.S. conferred degree or certificate is not permitted on a visitor (B) visa, even if it is for a short duration. For example, a student in a distance learning program that requires a period of time on the institution's U.S. campus must obtain a student (F or M) visa prior to entering the United States.

### **Student Acceptance at a SEVP Approved School**

The first step to studying in the United States is apply to a SEVP-approved school in the United States. If the SEVP-approved school accepts your enrollment, you will be registered for the [Student and Exchange Visitor Information System \(SEVIS\)](#)<sup>↗</sup> and must pay the SEVIS I-901 fee. The SEVP-approved school will issue you a Form I-20. After you receive the Form I-20 and register in SEVIS, you may apply at a U.S. Embassy or Consulate for a student (F or M) visa. You must present the Form I-20 to the consular officer when you attend your visa interview.

If your spouse and/or children will live with you in the United States while you study, they must also enroll in SEVIS, obtain individual Form I-20s from the SEVP-approved school, and apply for a visa (but they do not pay the SEVIS fee).

Visit the U.S. Immigration and Customs Enforcement (ICE) [Student and Exchange Visitor Program \(SEVP\)](#)<sup>↗</sup> website to learn more about SEVIS and the SEVIS I-901 Fee.

Visit the Department of State [EducationUSA](#) website to learn about educational opportunities for undergraduate and graduate study, and an overview of the application process. You can also visit the DHS [Study in the States](#)<sup>↗</sup> school search page to search for SEVP-certified schools.

### **How To Apply**

There are several steps to apply for a visa. The order of these steps and how you complete them may vary by U.S. Embassy or Consulate. Please consult the instructions on the [embassy or consulate website](#).

### **Complete the Online Visa Application**

- [\*\*Online Nonimmigrant Visa Application, Form DS-\*\*](#)

**160 – Learn more** about completing the DS-160. You must: 1) complete the online visa application, and 2) print the application form confirmation page to bring to your interview.

- **Photo** – You will upload your photo while completing the online Form DS-160. Your photo must meet the Photograph Requirements.

## Schedule an Interview

Interviews are generally required for visa applicants with certain limited exceptions. Consular officers may require an interview of any visa applicant.

You should schedule an appointment for your visa interview at the U.S. Embassy or Consulate in the country where you live. You may schedule your interview at another U.S. Embassy or Consulate, but be aware that it may be more difficult to demonstrate that you qualify for a visa outside of the country where you live.

Wait times for interview appointments vary by location, season, and visa category, so you should apply for your visa early. Review the interview wait time for the location where you will apply:

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**New Students** – Student (F and M) visas for new students can be issued up to 365 days before the start date of a course of study. However, you will not be allowed to enter the United States on your student visa more than 30 days before the start date.

**Continuing Students** - Student (F and M) visas for continuing students may be issued at any time, as long as the student is currently enrolled at a SEVP-approved school or institution and in SEVIS. Continuing students may enter the United States at any time before classes start.

## Prepare for Your Interview

- **Fees** - Pay the non-refundable visa application fee, if you are required to pay it before your interview. If your visa is approved, you may also pay a visa issuance fee, if applicable to your nationality. Fee information is provided below:

## Application Fee

Select your nationality to see  
\$185  
Issuance Fee

Select a country/authority or area 

### All Fees

- Review the instructions available on the website of the [U.S. Embassy or Consulate](#) where you will apply to learn more about fee payment.

## Gather Required Documentation

Gather and prepare the following required documents before your visa interview:

- **Passport** valid for travel to the United States – Your passport must be valid for at least six months beyond your period of stay in the United States (unless exempt by [country-specific agreements](#)). Each individual who needs a visa must submit a separate application, including any family members listed in your passport.
- **Nonimmigrant Visa Application, Form DS-160 confirmation page.**
- **Application fee payment receipt**, if you are required to pay before your interview.
- **Photo** – You will upload your photo while completing the online Form DS-160. If the [photo upload fails](#), you must bring one printed photo in the format explained in the [Photograph Requirements](#).
- **Certificate of Eligibility for Nonimmigrant (F-1) Student Status-For Academic and Language Students, Form I-20 or Certificate of Eligibility for Nonimmigrant (M-1) Student Status for Vocational Students, Form I-20** – Your school will send you a Form I-20 once they have entered your information in the SEVIS database. You and your school official must sign the Form I-20. All students must be registered in the Student and Exchange Visitor System (SEVIS). Your spouse and/or minor children, if they intend live in the United States with you, will each receive an individual Form I-20.

## Additional Documentation May Be Required

A consular officer will interview you to determine your qualifications for a student visa, and may request additional documents, such as evidence of:

- Your academic preparation, such as:
  - Transcripts, diplomas, degrees, or certificates from schools you attended; and
  - Standardized test scores required by your U.S. school;
- Your intent to depart the United States upon completion of the course of study; and
- How you will pay all educational, living and travel costs.

Review the instructions for how to apply for a visa on the website of the [U.S. Embassy or Consulate](#) where you will apply.

## Attend Your Visa Interview

A consular officer will interview you to determine whether you are qualified to receive a student visa. You must establish that you meet the requirements under U.S. law to receive a visa.

Ink-free, digital fingerprint scans are taken as part of the application process. They are usually taken during your interview, but this varies based on location.

After your visa interview, the consular officer may determine that your application requires further [administrative processing](#). The consular officer will inform you if this is required.

After the visa is approved, you may need to pay a visa issuance fee (if applicable to your nationality), and make arrangements for the return of the passport and visa to you. Review the [visa processing times](#) to learn more.

## Entering the United States

A visa does not guarantee entry into the United States. A visa only allows a foreign citizen to travel to a U.S. port-of-entry (generally an airport) and request permission to enter

the United States. The Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP) officials at the port-of-entry have authority to permit or deny admission to the United States.

After you present your passport, visa, and Form I-20 at the port-of-entry, a CBP official will make this decision. Upon admission, the CBP official will provide an admission stamp or paper Form I-94, Arrival/Departure Record.

Learn about procedures for students (with F or M visas) entering the United States on the CBP website under [Arrival Procedures for Students or Exchange Visitors](#). Learn about admissions and entry requirements, restrictions about bringing food, agricultural products, and other restricted/prohibited goods, and more by reviewing the [CBP website](#).

## Extending Your Stay

Foreign students in the United States with F visas must depart the United States within 60 days after the program end date listed on Form I-20, including any authorized practical training.

Foreign students may request an extension through U.S. Citizenship and Immigration Services (USCIS) website (see the [USCIS Extend Your Stay](#) page). Additional information to maintain student status is on the U.S. Immigration and Customs Enforcement SEVP website under [Maintaining Your Immigration Status While a Student or Exchange Visitor](#).

Failure to depart the United States on time will result in being [out of status](#). Under U.S. law, visas of individuals who are out of status are automatically voided ([Section 222\(g\) of the Immigration and Nationality Act](#)). Any multiple entry visa that was voided due to being out of status will not be valid for future entries into the United States.

Failure to depart the United States on time may also result in you being ineligible for visas in the future in certain cases. Review [Visa Denials and Ineligibilities and Waivers: Laws](#) to learn more.

## Change of Status

If your plans change while in the United States (for example, you marry a U.S. citizen or receive an offer of employment), you may be able to request a change in your nonimmigrant status to another category through U.S. Citizenship and Immigration Services (USCIS). See [Change My Nonimmigrant Status](#) on the USCIS website to learn more.

While you are in the United States, receiving a change of status from USCIS does not require you to apply for a new visa. However, once you depart the United States you must apply for a new visa at a U.S. Embassy or Consulate in the appropriate category for your travel.

## Additional Information

- There is no guarantee you will be issued a visa. Do not make final travel plans or buy tickets until you have a visa.
- For information about working in the United States during your study, review [Students and Employment](#) and Form I-765 [Work Authorization Instructions](#) on the USCIS website.
- If you have a temporary break in your study, view the information on the SEVP website under [Do Students Returning from Temporary Absences Need New Visas?](#) If your student visa is still valid, but you are outside the United States, you should consult with your Designated School Officials.
- Spouse and children
  - Your spouse and unmarried, minor children who intend to reside with you during your study may apply for F-2 or M-2 visas. Although SEVIS fee payment is not required, your school must issue them an individual Form I-20, which is required to apply for their visas. You must provide a copy of your F-1 or M-1 visa and provide proof of relationship.
  - Your minor children are permitted to attend school in the United States while accompanying you.
  - U.S. Embassies and Consulates adjudicate visa applications for same-sex spouses in the same way that we adjudicate applications for opposite sex spouses.
- A valid U.S. visa in an expired passport is still valid.

Unless canceled or revoked, a visa is valid until its expiration date. If you have a valid visa in your expired passport, do not remove it from your expired passport. You may use your valid visa in your expired passport along with a new valid passport for travel and admission to the United States.

## Can I enter the United States more than 30 days in advance?



Students on F or M visas are not permitted to enter the United States earlier than 30 days before the start date of their program. If you wish to enter earlier than 30 days before your start date, you must separately apply and qualify for a visitor (B) visa.

After you are admitted to the United States by U.S. Customs and Border Protection (CBP) officials in visitor (B) visa status, you must separately apply to U.S. Citizenship and Immigration Services (USCIS) for a change of status to student (For M) status prior to the start of your program. You may not begin your course of study until the change of status is approved, and you may encounter lengthy processing times. You may also depart the United States and re-enter on your student (F or M) visa.

## Optional Practical Training



Students who are authorized Optional Practical Training (OPT) must have a Form I-20 endorsed for OPT and must apply to USCIS for an Employment Authorization Document (EAD). OPT is temporary employment that is directly related to the eligible F-1 student's area of study. To learn more about OPT, please visit the USCIS Website and the ICE International Students webpage.

## Attending Public Secondary School



There are restrictions on students in F-1 nonimmigrant status attending public school in the United States. See [Foreign Students in Public Schools](#) to learn more.

## Visa Renewal



Whether you are applying for the first time or renewing your visa, you will use the same application process (please review [How to Apply](#), above).

## Visa Denial and Ineligibility



Review [Visa Denials](#) for detailed information about visa ineligibilities, denials, and waivers.

## I was refused a visa under section 214(b). May I reapply?



You may reapply if you believe you have additional evidence of your qualifications for a student (F or M) visa, or you believe your circumstances have changed. Review [Visa Denials](#) to learn more.

## Misrepresentation or Fraud



Attempting to obtain a visa by the willful misrepresentation of a material fact, or fraud, may result in the permanent refusal of a visa or denial of entry into the United States.

Review [Ineligibilities and Waivers: Laws.](#)

## Citizens of Canada and Bermuda



Citizens of Canada and Bermuda generally do not require visas to enter the United States as students, although they must present a valid Form I-20 at the time of admission. For more information see [information for Citizens of Canada and Bermuda.](#)

Additional resources for Canadian visitors to the United States can be found on the [U.S. Embassy and Consulate websites in Canada.](#)

## Further Questions



- **Case-Specific Questions** - Contact the U.S. Embassy or Consulate handling your visa application for status information. Select [U.S. Embassy or Consulate](#) for contact information.
- **General Questions** - review [Contact Us.](#)

# Visitor Visa

## Overview

Generally, a citizen of a foreign country who wishes to travel to the United States must first obtain a visa, either a nonimmigrant visa for a temporary stay, or an immigrant visa for permanent residence. Visitor visas are nonimmigrant visas for persons who want to enter the United States temporarily for business (B-1 visa), for tourism (B-2 visa), or for a combination of both purposes (B-1/B-2 visa).

Here are some examples of activities permitted with a visitor visa:

### Business (B-1)



- Consult with business associates
- Attend a scientific, educational, professional, or business convention or conference
- Settle an estate
- Negotiate a contract

### Tourism (B-2)



- Tourism
- Vacation (holiday)
- Visit with friends or relatives
- Medical treatment
- Participation in social events hosted by fraternal, social, or service organizations
- Participation by amateurs in musical, sports, or similar events or contests, if not being paid for participating
- Enrollment in a short recreational course of study, not for credit toward a degree (for example, a two-day cooking class while on vacation)

...

## Travel Purposes Not Permitted On Visitor Visas



These are some examples of activities that require different categories of visas and cannot be done while on a visitor visa:

- Study
- Employment
- Paid performances, or any professional performance before a paying audience
- Arrival as a crewmember on a ship or aircraft
- Work as foreign press, in radio, film, print journalism, or other information media
- Permanent residence in the United States

Birth tourism (travel for the primary purpose of giving birth in the United States to obtain U.S. citizenship for their child) is not permissible on a visitor visa.

### How to Apply

There are several steps to apply for a visa. The order of these steps and how you complete them may vary by U.S. Embassy or Consulate. Please consult the instructions on the [U.S. Embassy or Consulate website](#).

### Complete the Online Visa Application

- **Online Nonimmigrant Visa Application, Form DS-160**
  - [Learn more](#) about completing the DS-160. You must: 1) complete the online visa application and 2) print the application form confirmation page to bring to your interview.
- **Photo** – You will upload your photo while completing the online Form DS-160. Your photo must meet the [Photograph Requirements](#).

### Schedule an Interview

Interviews are generally required for visa applicants with certain limited exceptions. Consular officers may require an interview of any visa applicant.

You should generally schedule an appointment for your visa interview at the U.S. Embassy or Consulate in the country where you live. You may schedule your interview at another U.S. Embassy or Consulate where you will be present but aware that in some cases it may be more difficult to demonstrate your qualifications for a visa outside of the country where you live.

Wait times for interview appointments vary by location, season, and visa category, so you should apply for your visa early. Review the interview wait time for the location where you will apply:

## Prepare for Your Interview

- **Fees - Pay the non-refundable visa application fee**, if you are required to pay it before your interview. If your visa is approved, you may also need to pay a visa issuance fee, if applicable to your nationality. Fee information is provided below:

### Select your nationality to see \$185 Issuance Fee

Enter a country/authority or area 

#### All Fees

- Review the instructions available on the website of the U.S. Embassy or Consulate where you will apply to learn more about fee payment.

## Gather Required Documentation

Gather and prepare the following required documents before your visa interview:

- **Passport** valid for travel to the United States – Your passport must be valid for at least six months beyond your period of stay in the United States (unless exempt by country-specific agreements<sup>↗</sup>). Each individual who needs a visa must submit a separate application, including any family members listed in your passport.

- **Nonimmigrant visa Application, Form DS-160 confirmation page.**
- **Application fee payment receipt**, if you are required to pay before your interview.
- **Photo** – You will upload your photo while completing the online Form DS-160. If the photo upload fails, you must bring one printed photo in the format explained in the Photograph Requirements.

## Additional Documentation May Be Required

Review the instructions for how to apply for a visa on the website of the U.S. Embassy or Consulate where you will apply. Additional documents may be requested to establish if you are qualified. For example, additional requested documents may include evidence of:

- The purpose of your trip,
- Your intent to depart the United States after your trip, and/or
- Your ability to pay all costs of the trip.

Evidence of your employment and/or your family ties may be sufficient to show the purpose of your trip and your intent to return to your home country. If you cannot cover all the costs for your trip, you may show evidence that another person will cover some or all costs for your trip.

**Note:** Visa applicants must qualify based on their ties abroad/to their home country, rather than assurances from U.S. family and friends. A letter of invitation or Affidavit of Support is not needed to apply for a visitor visa. If you choose to bring a letter of invitation or Affidavit of Support to your interview, please remember it is not one of the factors used in determining whether to issue or deny the visa.

## Attend Your Visa Interview

A consular officer will interview you to determine whether you are qualified to receive a visitor visa. You must establish that you meet the requirements under U.S. law to receive a visa. Ink-free, digital fingerprint scans are taken as part of the application process. They are usually taken during your interview, but this varies based on location.

After your visa interview, the consular officer may determine that your application requires further administrative processing. The consular officer will inform you if this required.

After the visa is approved, you may need to pay a visa issuance fee (if applicable to your nationality), and make arrangements for the return of the passport and visa to you. Review the visa processing times to learn more.

## Entering the United States

A visa allows a foreign citizen to travel to a U.S. port-of-entry (generally an airport) and request permission to enter the United States. A visa does not guarantee entry into the United States. The Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP) officials at the port-of-entry have authority to permit or deny admission to the United States. If you are allowed to enter the United States, the CBP official will provide an admission stamp or a paper Form I-94, Arrival/Departure Record. Learn more about admissions and entry requirements, restrictions about bringing food, agricultural products, and other restricted/prohibited goods, and more by reviewing the CBP website.

## Extending Your Stay

See Extend Your Stay on the U.S. Citizenship and Immigration Services (USCIS) website to learn about requesting to extend your stay beyond the date indicated on your admission stamp or paper Form I-94.

Failure to depart the United States on time will result in being out of status. Under U.S. law, visas of individuals who are out of status are automatically voided (Section 222(g) of the Immigration and Nationality Act). Any multiple entry visa that was voided due to being out of status will not be valid for future entries into the United States.

Failure to depart the United States on time may also result in you being ineligible for visas in the future. Review Visa Denials and Ineligibilities and Waivers: Laws to learn more.

## Change of Status

If your plans change while in the United States (for example,

you marry a U.S. citizen or receive an offer of employment), you may be able to request a change in your nonimmigrant status to another category through U.S. Citizenship and Immigration Services (USCIS). See [Change My Nonimmigrant Status](#) on the USCIS website to learn more.

While you are in the United States, receiving a change of status from USCIS does not require you to apply for a new visa. However, once you depart the United States you must apply for a new visa at a U.S. Embassy or Consulate in the appropriate category for your travel.

## Additional Information

- An individual on a visitor visa (B1/B2) is not permitted to accept employment or work in the United States.
- There is no guarantee you will be issued a visa. Do not make final travel plans or buy tickets until you have a visa.
- A valid U.S. visa in an expired passport is still valid. Unless canceled or revoked, a visa is valid until its expiration date. If you have a valid visa in your expired passport, do not remove it from your expired passport. You may use your valid visa in your expired passport along with a new valid passport for travel and admission to the United States.

## Travel for Medical Treatment



If you are seeking medical treatment in the United States, the consular officer may ask for further documents at your visa interview, which may include:

- Medical diagnosis from a local physician, explaining the nature of the ailment and the reason you need treatment in the United States.
- Letter from a physician or medical facility in the United States, stating they are willing to treat your specific ailment and detailing the projected length and cost of treatment (including doctors' fees, hospitalization fees, and all medical-related expenses).
- Proof that your transportation, medical, and living

expenses in the United States will be paid. This may be in the form of bank or other statements of income/savings or certified copies of income tax returns (either yours or the person or organization paying for your treatment).

## Visitor Visas for Personal or Domestic Employees (B-1)



You may apply for a B-1 visitor visa to work in the United States as a personal or domestic employee for your employer in limited situations. You may for a visitor visa as a domestic employee if, among other requirements, your employer is:

- A U.S. citizen who has a permanent home or is stationed in a foreign country, but is visiting or is assigned to the United States temporarily; or
- A foreign citizen who is in the United States on one of the following nonimmigrant visa categories: B, E, F, H, I, J, L, M, O, P, Q or TN.

Learn more about your rights in the United States and protection available to you by reading the [Legal Rights and Protections](#) pamphlet.

## Visa Renewal



Whether you are applying for the first time or renewing your visa, you will use the same application process (please review [How to Apply](#), above). Some applicants seeking to renew their visas in certain visa classes may be eligible for the Interview Waiver (IW) which allows qualified individuals to apply for visa renewals without being interviewed in person by a U.S. consular officer. Review the instructions on the website of the [U.S. Embassy or Consulate](#) where you will apply to determine if IW is available and if you qualify.

## Do I need a visa if I have an ABTC?



Yes, you will still need a visa to travel to the United States, unless you qualify for the Visa Waiver Program. Having an Asian-Pacific Economic Cooperation (APEC) Business Travelers Card (ABTC) does not change visa requirements, your visa status, or the visa process for travel to the United States.

## How can I use my ABTC when I apply for my visa?



If you have an Asian-Pacific Economic Cooperation (APEC) Business Travelers Card (ABTC), you might be able to schedule an expedited visa interview appointment. Review the instructions for scheduling expedited appointments on the website of the embassy, or consulate where you will apply.

## Visa Annotations for Certain Maritime Industry Workers



Certain foreign maritime workers are eligible to apply for a Transportation Worker Identification Credential (TWIC) once in the U.S. If you, as a maritime industry worker, will perform services in secure port areas, your visa must be annotated "TWIC Letter Received." Workers whose visas are not annotated will not be permitted by the Transportation Security Administration (TSA) to apply for a TWIC.

In order for your visa to be annotated, you must obtain a letter from your employer explaining the need for a TWIC and that you are a potential TWIC applicant. See a template example of this letter. You must present this letter when you apply for the B-1 visa. You must meet all other eligibility requirements for a B-1 visa.

Complete information about the TWIC program is available on TSA's website at <https://www.tsa.gov/for->

[industry/twic](#)<sup>↗</sup>.

## Visa Denial and Ineligibility



Review [Visa Denials](#) for detailed information about visa ineligibilities, denials and waivers.

## I was refused a visa, under Section 214(b). May I reapply?



Yes, if you feel circumstances have changed regarding your application. Review [Visa Denials](#) to learn more.

## Misrepresentation or Fraud



Attempting to obtain a visa by the willful misrepresentation of a material fact, or fraud, may result in the permanent refusal of a visa or denial of entry into the United States.

Review [Ineligibilities and Waivers: Laws](#).

## Citizens of Canada and Bermuda



Citizens of Canada and Bermuda generally do not require visas to enter the United States, for visit, tourism and temporary business travel purposes. For more information see [U.S. Embassy Ottawa website](#), [U.S. Consulate Hamilton website](#) and [CBP website](#)<sup>↗</sup>.

Additional resources for Canadian visitors to the United States can be found on the U.S. Embassy and Consulate websites in Canada.

## Citizens of China



In accordance with the agreement signed between the United States and China to extend visa validity, as of November 29, 2016, Chinese citizens with 10-year B1, B2 or B1/B2 visas in Peoples' Republic of China passports will be required to update their biographical and other information from their visa application via a website every two years, or upon getting a new passport or B1, B2, or B1/B2 visa, whichever occurs first. This mechanism is called EVUS - Electronic Visa Update System.

The EVUS website is now open to the public for enrollments at [www.EVUS.gov](http://www.evus.gov). As of September 30, 2025, there is a \$30.00 fee charged for each new enrollment payable through the <http://www.evus.gov> website.

## Citizens of Mexico



Citizens and permanent residents of Mexico generally must have a nonimmigrant visa or Border Crossing Card (also known as a "Laser Visa"). For ease of travel, the B-1/B-2 and the Border Crossing Card have been combined into one document (DSP-150). Select [Border Crossing Card](#) to learn more about this card.

Please visit [U.S. Embassy or Consulate](#) websites for more information regarding applying for a visa at the U.S. Embassies or Consulates in Mexico.

## Further Questions



- Case-Specific Questions - Contact the U.S. Embassy or Consulate handling your visa application for status information. Select [U.S. Embassy or Consulate](#) for contact information.
- General Questions - review [Contact Us](#).

# Temporary Worker Visas

## Overview

A citizen of a foreign country who wishes to work in the United States must first get the right visa. If the employment is for a fixed period, the applicant can apply for a temporary employment visa. There are 11 temporary worker visa categories. Most applicants for temporary worker visas must have an approved petition. The prospective employer must file the petition on behalf of the applicant. U.S. Citizenship and Immigration Services (USCIS) reviews the petition.

## Temporary worker visa categories

Visa category	General description – About an individual in this category:
H-1B: Person in Specialty Occupation	For applicants working in a specialty occupation. Applicants must have at least a bachelor's degree, or equivalent experience in the specialty occupation. Includes fashion models, physicians, and DOD project participants.
H-1B1: Free Trade Agreement (FTA) Professional - <u><a href="#">Chile</a></u> , <u><a href="#">Singapore</a></u>	For applicants from Chile or Singapore working in a specialty occupation. Applicants must have at least a bachelor's degree, or equivalent experience in the field of specialization. (Note: This is not a petition-based visa. For application procedures, please refer to the website for the <u><a href="#">U.S. Embassy in Chile</a></u> or the <u><a href="#">U.S. Embassy in Singapore</a></u> .)
H-2A: Temporary Agricultural Worker	For applicants performing temporary or seasonal agricultural work. Only citizens or nationals of designated countries are eligible for this visa. There are limited exceptions.
H-2B: Temporary Non-agricultural	For applicants performing temporary or seasonal non- agricultural work. Only citizens or nationals of designated countries are eligible for this visa. There

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Worker	are limited exceptions.
H-3: Trainee or Special Education visitor	For applicants receiving training, other than graduate medical or academic training, in any field that is not available in their home country. Applicants may also participate in practical training programs in the education of children with mental, physical, or emotional disabilities.
L: Intracompany Transferee	For applicants working in a managerial or executive capacity; or applicants working in a position requiring specialized knowledge. The petitioner must be a branch, parent, affiliate, or subsidiary of the applicant's current employer. Applicants must have worked for same employer abroad for 1 year within the three preceding years.
O: Individual with Extraordinary Ability or Achievement	For applicants with an extraordinary ability or achievement in the field of science, art, education, business, or athletics. Also for applicants who are internationally recognized in the motion picture and television fields. This category includes persons assisting the above individual.
P-1: Individual or Team Athlete, or Member of an Entertainment Group	For applicants who are recognized athletes or members of an entertainment/sports group. They must perform at a specific athletic competition or entertainment performance. Includes persons providing essential services in support of the above individual.
P-2: Artist or Entertainer (Individual or Group)	For applicants performing individually or in a group. They must be part of a reciprocal exchange program between an organization in the United States and an organization in another country. Includes artists providing essential services in support of the above individual.
P-3: Artist or	For applicants performing, teaching, or coaching. They must be part of a program that is unique. The program can

Entertainer (Individual or Group)	also be a traditional ethnic, folk, cultural, musical, theatrical, or artistic performance or presentation. Includes persons providing essential services in support of the above individual.
Q-1: Participant in an International Cultural Exchange Program	For applicants participating in an international cultural exchange program. The program can be for cultural labor and training, or to share the history, culture, and traditions of the applicant's home country.

## Labor Certification

Certain visa categories need an approved labor certification. First, the prospective employer must apply for the labor certification with the [Department of Labor](#). Then, the prospective employer can file the Petition for a Nonimmigrant Worker, Form I-129, with USCIS. Please refer to the [Instructions for Form I-129](#) on the USCIS website to confirm if you need the labor certification.

## Petition Approval

Some temporary worker categories are limited in the total number of petitions which can be approved on a yearly basis. Before an applicant can apply for a temporary worker visa, USCIS must first approve the [Petition for a Nonimmigrant Worker, Form I-129](#). For more information about the petition process, see [Working in the U.S.](#) and [Temporary \(Nonimmigrant\) Workers](#) on the USCIS website. Once USCIS approves the petition, it will send the prospective employer a Notice of Action, Form I-797.

## Important Notice: Same-sex Marriage



Effective immediately, U.S. Embassies and Consulates will adjudicate visa applications that are based on a same-sex marriage in the same way that we adjudicate applications for opposite sex spouses. Please reference the specific guidance on the visa category for which you are applying for more details on documentation required.

for derivative spouses. For further information, please see our [FAQ's](#).

## How to Apply

You may apply for a visa when USCIS has approved your petition. There are several steps in the visa application process. The order of these steps and how you complete them may vary at the U.S. embassy or consulate where you apply. Please visit the [embassy or consulate website](#) for instructions on how to apply.

### Complete The Online Visa Application

- **Online Nonimmigrant Visa Application, Form DS-160**
  - [Learn more](#) about completing the [DS-160](#). You must: 1) complete the online visa application and 2) print the application form confirmation page to bring to your interview.
- **Photo** – You will upload your photo while completing the online Form DS-160. Your photo must be in the format explained in the [Photograph Requirements](#).

### Schedule an Interview

Interviews are generally required for visa applicants with certain limited exceptions. Consular officers may require an interview of any visa applicant.

You must schedule an appointment for your visa interview at any [U.S. Embassy or Consulate](#) where you live. However, it may be difficult to qualify for a visa outside of your place of permanent residence.

Wait times for interview appointments vary by location, season, and visa category. You should apply for your visa early. Review the interview wait time for the location where you will apply:

You will need to provide the receipt number to schedule an interview. The receipt number is printed on your approved Petition for a Nonimmigrant Worker, Form I-129, or Notice of Action, Form I-797.

## Prepare for your Interview

- **Fees - Pay the non-refundable visa application fee**, if you are required to pay it before your interview. When your visa is approved, you may also pay a visa issuance fee, if applicable to your nationality. Fee information is provided below:

### Select your nationality to see

\$205  
Issuance Fee

Enter a country/authority or area 

[All Fees](#)

### Reciprocity Fees

Nonimmigrant visa applicants from certain countries\*/areas of authority may be required to pay a visa issuance fee after their application is approved. These fees are based on the principle of reciprocity: when a foreign government imposes fees on U.S. citizens for certain types of visas, the United States will impose a reciprocal fee on citizens of that country\*/area of authority for similar types of visas.

Check the [Reciprocity Fees](#)

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- Fee payment information is available on the website of the [embassy or consulate](#) where you will apply.
  - **L visa applicants included in a L blanket petition:** must also pay the Fraud Prevention and Detection fee and may need to pay the Border Security Act fee.  
Select [All Fees](#) to learn more.

### Gather Required Documentation

Gather and prepare the following required documents before your visa interview:

- **Passport** valid for at least six months beyond your period of stay in the United States (unless exempt by [country-specific agreements](#)). Each person

included in a single passport needs a separate visa application.

- **Nonimmigrant Visa Application, Form DS-160 confirmation page.**
- **Application fee payment receipt**, if you are required to pay before your interview.
- **Photo** – You will upload your photo while completing the online Form DS-160. If the photo upload fails, you must bring one printed photo in the format explained in the Photograph Requirements.
- **Petition Receipt Number** as it appears on your Petition for a Nonimmigrant Worker, Form I-129, or Notice of Action, Form I-797.
- **L Visa Applicants** included in an L blanket petition, must bring Form I-129S to the interview.

## Legal Rights and Protections

H-1B, H-2A, and H-2B visa applicants should read the Legal Rights and Protections pamphlet before applying for a visa.

The pamphlet includes information on your rights in the United States and protection available to you.

## Additional Documentation May Be Required

Review the instructions on how to apply for a visa on the website of the embassy or consulate where you will apply. Additional documents may be requested to establish if you are qualified.

Most visa applicants, except H-1B and L, need to show their intent to return to their home country after their temporary stay in the United States. They can do so by showing proof of compelling ties to the home country, which may include:

- A residence abroad which you do not intend to abandon
- Your family relationships
- Your economic situation
- Your long term plans

## Attend your Visa Interview

During the visa interview, a consular officer will determine if you are eligible for the visa. The consular officer will also determine if the visa category is appropriate for your

purpose of travel. You will need to establish that you meet the requirements under U.S. law to receive the category of visa for which you are applying.

Ink-free, digital fingerprint scans will be taken as part of your application process. They are usually taken during your interview, but this varies based on location.

After your visa interview, your application may need further administrative processing. A consular officer will inform you if further processing is necessary for your application.

Depending on your nationality, you may need to pay a visa issuance fee. You must pay this fee when the visa is approved. The embassy will explain how your passport with visa will be returned to you. Review the visa processing time, to learn how soon your passport with visa will generally be ready for pick-up or delivery by the courier.

## Entering the United States

A visa allows a foreign citizen to travel to a U.S. port-of-entry (generally an airport). A visa also allows you to request permission to enter the United States. A visa does not guarantee entry into the United States. U.S. Customs and Border Protection (CBP) officials at the port-of-entry have authority to permit or deny admission to the United States. When admitted, you may get an admission stamp or Form I-94, Arrival/Departure Record. Review the CBP website to learn more about entry requirements and customs restrictions.

## Extending Your Stay

You must leave the United States on or before the date indicated on your admission stamp or Form I-94. You can request to extend your stay by contacting USCIS. Visit USCIS's Extend Your Stay<sup>↗</sup> website for more information.

Failure to leave the United States on time will result in you being out of status. Under U.S. law, visas of travelers who are out of status are automatically voided (Section 222(g) of the Immigration and Nationality Act<sup>↗</sup>). If you had a multiple-entry visa and it was voided due to you being out of status, it will not be valid for future entries into the United

States.

Failure to leave the United States on time may also result in you being ineligible for visas you may apply for in the future. Review [Visa Denials](#) and [Ineligibilities and Waivers: Laws](#) to learn more.

## Change of Status

While in the United States, you may be able to request a change to another nonimmigrant category. See [Change My Nonimmigrant Status](#) on the USCIS website to learn more.

Requesting a change of status does not require that you apply for a new visa, as long as you remain in status. If you cannot remain in status while USCIS processes your change of status request, you must apply for a visa at a U.S. embassy or consulate.

## Additional Information

- The approval of a petition does not guarantee that you will get a visa. Do not make final travel plans or buy tickets until you have a visa.
- Spouse and Children –
- Your spouse and unmarried, minor children may also apply for the same visa category as you to accompany or join you. The only exception is for Cultural Exchange Visitor Q-1 visa applicants. You must be able to show that you will be able to financially support your family in the United States.
- For more information, visit USCIS's [Temporary Workers](#) information and [Employment Authorization](#) website.
- Unless canceled or revoked, a visa is valid until its expiration date. Therefore, a valid U.S. visa in an expired passport is still valid. If you have a valid visa in your expired passport, do not remove it from your expired passport. You may use your valid visa in your expired passport along with a new valid passport for travel and admission to the United States.

## Visa Denial and Ineligibility



Review [Visa Denials](#) for detailed information about visa ineligibilities, denials and waivers.

## Visa Renewal



The same visa application process applies for first-time applicants and renewals. Please review [How to Apply](#) for more information. Some applicants may be eligible for interview waiver. Interview waiver allows eligible individuals to renew their visa without an in-person interview. To determine if you are eligible for interview waiver, please review the instructions on the website of the [U.S. Embassy or Consulate](#) where you will apply.

## I was refused a visa under section 214(b). May I reapply?



Yes, if you feel circumstances have changed regarding your application. Review [Visa Denials](#) to learn more.

## Misrepresentation or Fraud



Attempting to obtain a visa by the willful misrepresentation of a material fact, or fraud, may result in the permanent refusal of a visa or denial of entry into the United States.

Review [Ineligibilities and Waivers: Laws](#).

## Citizen of Canada and Bermuda



Citizens of Canada and Bermuda do not need visas to enter the United States as temporary workers. These applicants do need a temporary worker petition approved by USCIS. For more information see the [U.S. Embassy Ottawa website](#), the [U.S. Consulate Hamilton website](#) and the [CBP website](#).

Additional resources for Canadian temporary workers to the United States can be found on the [U.S. Embassy Ottawa website](#) in Canada.

## Further Questions



- **Case-Specific Questions** - Contact the U.S. Embassy or Consulate handling your visa application for status information. Select [U.S. Embassy or Consulate](#) for contact information.
- **General Questions** - review [Contact Us](#).

# Exchange Visitor Visa

## Overview

Generally, a citizen of a foreign country who wishes to enter the United States must first be granted a visa. Either a nonimmigrant visa for a temporary stay, or an immigrant visa to permanently move to the United States. Exchange visitor (J) visas are nonimmigrant visas for individuals approved to participate in exchange visitor programs in the United States.

### Exchange Visitor Categories Include:

<u>Au pair and EduCare</u>	<u>Short-term Scholar</u>
<u>Camp Counselor</u>	<u>Specialist</u>
<u>Government Visitor</u>	<u>Student, college/university</u>
<u>Intern</u>	<u>Student, secondary</u>
<u>International Visitor</u>	<u>Summer Work Travel</u>
<u>(Dept. of State use)</u>	<u>Teacher</u>
<u>Physician</u>	<u>Trainee</u>
<u>Professor and</u>	

Research Scholar

### Exchange Visitor

#### Programs:

Summer Work Travel Pilot Program: Australians ↗

Summer Work Travel Pilot Program: New Zealanders

↗

Intern Work Travel Program: Irish ↗

WEST (Work, English Study, and Travel) Program:

South Koreans ↗

Exchange Visitors cannot travel on the Visa Waiver Program or with Visitor (B1/B2) Visas –

Exchange Visitors participating in an exchange program must be issued an exchange visitor visa, or J-visa, to travel to the U.S.

Foreign nationals may not travel to the U.S. to participate in an exchange on a visitor (B1/B2) visa, or through the Visa Waiver Program (VWP). For more information see Visa

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## Waiver Program.

### Acceptance in Exchange Visitor Program –

- Step One - Apply for an exchange visitor program through a pre-approved organization in the United States. Visit the Department of State [J-1 Visa Exchange Visitor Program](#) website to learn about more about these programs.
- Step Two - Be accepted into a qualifying program. Once you are accepted into a program, you will automatically be registered in the [Student and Exchange Visitor Information System \(SEVIS\)](#).
- Step Three - Once you are notified your registration is active, pay the SEVIS I-901 fee. (In some cases the fee is not required, consult your exchange visitor program sponsor). To learn more about SEVIS and the SEVIS I-901 Fee, visit the U.S. Immigration and Customs Enforcement (ICE) [Student and Exchange Visitor Program \(SEVP\)](#) website.

### How to Apply

There are several steps to apply for a visa. The order of these steps and how you complete them may vary by U.S. Embassy or Consulate. Please consult the instructions on the [embassy or consulate website](#).

### Complete the Online Visa Application

- **Online Nonimmigrant Visa Application, Form DS-160** – Learn more about completing the [DS-160](#). You must: 1) complete the online visa application and 2) print the application form confirmation page to bring to your interview.
- **Photo** – You will upload your photo while completing the online Form DS-160. Your photo must be in the format explained in the [Photograph Requirements](#).

### Schedule an Interview

Interviews are generally required for visa applicants with certain limited exceptions. Consular officers may require an interview of any visa applicant.

You should generally schedule an appointment for your visa interview at the [U.S. Embassy or Consulate](#) in the country

where you live. You may schedule your interview at another U.S. Embassy or Consulate, but be aware that in some cases it may be more difficult to demonstrate that you qualify for a visa outside of the country where you live. Wait times for interview appointments vary by location, season, and visa category. **You should apply for your visa early.**

Review the interview wait time for the location where you will apply:

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## Prepare for Your Interview

- **Fees - Pay the non-refundable visa application fee** if you are required to pay it before your interview. If your visa is approved, you may also need to pay a visa issuance fee, if applicable to your nationality. Fee information is provided below:

### Application Fee

Select your nationality to see

\$185  
Issuance Fee

Select a country/authority or area 

### All Fees

- Review the instructions available on the website of the embassy or consulate where you will apply to learn more about fee payment.
- **NOTE:** U.S. government sponsored exchange visitor (J visa) applicants and their dependents are not required to pay application processing fees if participating in a Department of State, a U.S. Agency for International Development (USAID), or a Federally funded educational and cultural exchange program which has a program serial number beginning with G-1, G-2, G-3, or G-7 printed on Form DS-2019, Certificate of Eligibility for Exchange Visitor Status. U.S. government sponsored exchange visitor (J visa) applicants and their dependents are also not required to pay applicable issuance fees.

## Gather Required Documentation

Gather and prepare the following required documents

<https://travel.state.gov/content/travel/en/us-visas/study/exchange.html>

before your visa interview:

- **Passport** valid for travel to the United States - Your passport must be valid for at least six months after your period of stay in the United States (unless allowed by [country-specific agreements](#)). Each individual who needs a visa must submit a separate application. This includes any family members listed in your passport.
- **Nonimmigrant Visa Application, Form DS-160 confirmation page.**
- **Application fee payment receipt**, if you are required to pay before your interview.
- **Photo** – You will upload your photo while completing the online Form DS-160. Pay attention to the visa photo requirements where you are applying. See more in [Photograph Requirements](#).
- **Certificate of Eligibility for Exchange Visitor Status, Form DS-2019** – After your program sponsor enters your information in the [Student and Exchange Visitor Information System \(SEVIS\)](#) database, they will send you the DS-2019 form. All exchange visitors must be registered in SEVIS. If your spouse and/or minor children will live in the United States with you, they will each receive a separate DS-2019 form.
- **Training/Internship Placement Plan, Form DS-7002** – J-1 visa applicants participating in Trainee and Intern categories also need the DS-7002 form. (See Box 7 on Form DS-2019). Learn more about the [Trainee](#) and [Intern](#) programs.

## Legal Rights and Protections

You must read the [Legal Rights and Protections](#) pamphlet to learn about your rights in the United States and protection available to you. Review this important pamphlet before applying for your visa.

## More Additional Documentation May Be Required

The website where you apply may suggest or require you provide additional documents related to:

- The purpose of your travel;
- Your intent to depart the United States after your

travel;

- Your ability to pay all travel costs;
- Other documents, as required.

Evidence of your employment and/or your family ties may be enough to show your reason for travel and your intent to return to your home country. If you cannot cover all the costs for your travel, you may show evidence that another person will cover some or all costs for your travel.

Review the instructions for how to apply for a visa on the website of the embassy or consulate where you will apply.

## Attend Your Visa Interview

A consular officer will interview you to determine whether you are qualified to receive an exchange visitor visa. You must establish that you meet the requirements under U.S. law to receive a visa.

Ink-free, digital fingerprint scans are taken as part of the application process. They are usually taken during your interview, but this varies based on location.

After your visa interview, the consular officer may determine that your application requires further administrative processing. The consular officer will inform you if this is required.

After your visa is approved, you may need to pay a visa issuance fee (if applicable). You will also need to make arrangements for your passport and visa to be returned to you. Review the visa processing times to learn more.

## Two-year Home-Country Physical Presence Requirement

If you participate in an Exchange Visitor Program and meet one of the criteria below, at the end of your program you must return to your home country for two years. This requirement under immigration law is based on section 212(e) of the Immigration and Nationality Act.

**Conditions for the Two-year Home-country Physical Presence Requirement** - J-visa holders must follow the two-year home-country physical presence requirement if the following is true:

- **Government funded exchange program** - The program is financed in whole or in part directly or indirectly by the U.S. government or the government of the exchange visitor's nationality or last residence;
- **Graduate medical education or training** - The exchange visitor entered the United States or acquired J status to receive graduate medical education or training; or
- **Specialized knowledge or skill (Skills List)** - The exchange visitor is a national or permanent resident of a country which the Secretary of State has designated as clearly requiring their specialized knowledge or skill. This is shown on the Exchange Visitor Skills List. **Review the Exchange Visitor Skills List 2024.**

**Restrictions** - If the two-year home-country physical presence requirement applies to you, you must return to your home country for a cumulative total period of at least two years before you can do any of the following:

- Change status ↗ while in the United States;
- Adjust status ↗ while in the United States to lawful permanent resident (LPR);
- Receive an immigrant visa at a U.S. embassy or consulate; or
- Receive a temporary worker (H), intracompany transferee (L), or fiancé (K) visa at a U.S. embassy or consulate.

#### **Waiver of Two Year Home-Country Physical Presence Rule** -

If you are subject to the requirement to return to your home country, you may pursue a waiver of the requirement.

Select Waiver of the Exchange Visitor Two-Year Home-Country Physical Presence Requirement to learn more about this requirement and how to request a waiver.

### **Entering the United States**

A visa does not guarantee entry into the United States. A visa only allows a foreign citizen to travel to a U.S. port-of-entry (generally an airport or land border) and request permission to enter the United States. The Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP) officials at the port of entry have authority

to permit or deny admission to the United States.

After you present your passport, visa, and DS-2019 at the port-of-entry, a CBP official will make this decision. Once you are allowed to enter the United States, the CBP official will provide an admission stamp or paper Form I-94, Arrival/Departure Record.

Learn about procedures for students (with F or M visas) or exchange visitors (J Visas) entering the United States on the CBP website under [Arrival Procedures for Students or Exchange Visitors](#). Visit the [CBP website](#) to find out about entering the United States. Learn about rules, restrictions, and what food and agricultural products are restricted. You can also find information about other goods that are restricted or prohibited.

## **Extending Your Stay**

See [Program Extension](#) on the Department of State Exchange Visitor Program website to learn about requesting to extend your exchange visitor program beyond the date listed on your Form DS-2019.

More information on maintaining exchange visitor status is on the U.S. Immigration and Customs Enforcement SEVP website under [Maintaining Your Immigration Status While a Student or Exchange Visitor](#).

Failure to depart the United States on time will result in being [out of status](#). Under U.S. law, anyone are out of status will have thier visa automatically voided ([Section 222\(g\) of the Immigration and Nationality Act](#)). Any multiple entry visa that was voided due to being out of status is not valid for any future travel to the United States.

Failure to depart the United States on time may also result in you being ineligible for visas in the future, in some cases. Review [Visa Denials and Ineligibilities and Waivers: Laws](#) to learn more.

## **Change of Status**

If your plans change while in the United States (for example, you receive a job offer), you may be able to request a change in your nonimmigrant status through U.S. Citizenship and Immigration Services (USCIS). See [Change](#)

[My Nonimmigrant Status](#) on the USCIS website to learn more.

While you are in the United States, receiving a change of status from USCIS does not require you to apply for a new visa. However, once you depart the United States, you must apply for a visa at a U.S. Embassy or Consulate in the appropriate category for your travel.

## More Information

- There is no guarantee that you will be issued a visa. Do not make final travel plans or buy tickets until you have a visa.
- For information about working in the United States during your exchange program, review [Exchange Visitors](#) and [Employment Authorization](#) on the USCIS website.
- Spouse and children
  - Your spouse and unmarried children under the age of 21 may be able to apply for J-2 visas to accompany or join you at a later date to reside with you during the duration of your J program, if permitted on your exchange program category. While they do not need to pay an additional SEVIS fee, your program sponsor must issue them separate DS-2019 Forms, which are required when they apply for their visas. They will also need a copy of the primary visa holder's J-1 visa and proof of relationship.
  - Your minor children are permitted to attend school while in the United States on J-2 visas and are not required to obtain [student \(F\) visas](#).
  - U.S. Embassies and Consulates treat visa applications from same-sex spouses the same as opposite-sex spouses.
- A valid U.S. visa in an expired passport is still valid. Unless canceled or revoked, a visa is valid until its expiration date. Therefore, a valid U.S. visa in an expired passport is still valid. If you have a valid visa in your expired passport, do not remove it from your expired passport. You may use your valid visa in your expired passport along with a new valid passport for travel and admission to the United States.

## Can I enter the United States more than 30 days in advance?



Exchange visitors are not permitted to enter the United States earlier than 30 days before their program start dates. If you want to enter earlier than 30 days, you must separately apply and qualify for a visitor (B) visa.

After you are admitted to the United States by U.S. Customs and Border Protection (CBP) officials in visitor (B) visa status, you must separately apply to U.S. Citizenship and Immigration Services (USCIS) for a change of status to exchange visitor (J) status. You must apply and be approved prior to the start of your exchange program. You will not be permitted to begin your exchange program until the change of status is approved. Alternatively, you may depart the United States and re-enter on your exchange visitor (J) visa.

## What is an International Cultural Exchange Visitor Q-1 visa?



There are two nonimmigrant visa categories for persons to participate in exchange visitor programs in the United States. The J-1 visa is for educational and cultural exchange programs designated by the Department of State.

The Q-1 visa is for participation in certain international cultural exchange programs. These programs provide practical training and employment, and allow program participants to share their home country's history, culture, and traditions in the United States. Applicants who wish to join an international cultural exchange program must be approved in advance by U.S. Citizenship and Immigration Services (USCIS) on the basis of a petition filed by the U.S. sponsor.

Select Temporary Worker Visas to learn more.

## Visa Renewal



Whether you are applying for the first time or renewing your visa, you will use the same application process (please review [How to Apply](#), above).

## Visa Refusal and Ineligibility



Review [Visa Denials](#) for detailed information about visa ineligibilities, refusals, and waivers.

## I was refused a visa, under section 214(b). May I reapply?



You may reapply if you have additional proof of your qualifications for an exchange visitor (J) visa, or you believe your circumstances have changed. Review [Visa Denials](#) to learn more.

## Misrepresentation or Fraud



Attempting to obtain a visa by the willful misrepresentation of a material fact, or fraud, may result in the permanent refusal of a visa or denial of entry into the United States.

Review [Ineligibilities and Waivers: Laws](#).

## Citizens of Canada and Bermuda



Citizens of Canada and Bermuda may enter the United States as exchange visitors without a visa. They must present a valid DS-2019 form at the border or airport for admission. For more information see [information for Citizens of Canada and Bermuda.](#)

Additional resources for Canadian visitors to the United States can be found on the [U.S. Embassy and Consulate websites in Canada.](#)

## Further Questions



- **Case-Specific Questions** - Contact the U.S. Embassy or Consulate handling your visa application for status information. Select [U.S. Embassy or Consulate](#) for contact information.
- **General Questions** - review [Contact Us.](#)

## **U.S. STUDENT VISA SCREENING – DOCUMENT CHECKLIST AND GUIDANCE (2025)**

Source basis: This guide is based mainly on official U.S. government information about F-1 and M-1 student visas from the U.S. Department of State ([travel.state.gov](http://travel.state.gov)), the Student and Exchange Visitor Program (SEVP/SEVIS), and additional guidance from U.S. universities and consular resources. It is written in simplified language for learning and “visa screening” purposes and is not legal advice. Always check the latest information from official U.S. government websites and your local U.S. Embassy or Consulate before applying.

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### **1. OVERVIEW OF U.S. STUDENT VISA SCREENING**

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When someone applies for a U.S. student visa, consular officers and immigration systems carry out several layers of checks. For most full-time international students, this is the F-1 visa (academic study) or M-1 visa (vocational or technical training). J-1 visas are used for exchange programs and have similar, but slightly different, rules.

Visa “screening” means verifying that the applicant:

- Has been admitted to an approved school and issued the correct SEVIS document.
- Intends to study a genuine, full-time course and meets the academic and English-language requirements.
- Can pay tuition fees and living expenses without working illegally.
- Plans to follow U.S. immigration rules and leave or change status legally when the program ends.
- Does not present security, public-safety, or public-health risks.
- Has provided complete and truthful information on all forms.

The screening process uses documents uploaded by the student, information in the DS-160 online visa application, SEVIS records, biometrics, security databases, and the in-person visa interview. A visa-screening system must therefore pay special attention to both documents and consistency across all data fields.

This document focuses on F-1 visas applied for outside the United States, but most elements also apply to M-1 and to J-1 student/exchange visas with minor changes.

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## **2. CORE DOCUMENTS FOR A U.S. STUDENT VISA**

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### **2.1 Form DS-160 – Online Nonimmigrant Visa Application**

Every nonimmigrant visa applicant must complete Form DS-160 online and submit it electronically. The form collects personal data, travel plans, education history, work history, family information, previous travel to the U.S., security questions, and social-media identifiers.

Key screening points:

- **DS-160 Confirmation Page:** After submission, the system creates a confirmation page with a barcode. The applicant must print or save this page and bring it to the interview.
- **Accuracy and consistency:** Details (name, date of birth, passport number, school name, SEVIS ID, address, etc.) must exactly match the passport, Form I-20, SEVIS record, and any university letters.
- **Security and background questions:** Answers to questions about crime, immigration violations, terrorism, health issues, and previous visa refusals must be truthful. Mismatches between DS-160 answers and security databases can lead to refusal or permanent ineligibility.

- Social-media handles: Recent rules require applicants to list social-media usernames used in the last several years. Officers may review online content as part of security vetting.

A visa-screening engine should cross-check DS-160 data with other documents and flag any inconsistencies (for example, different dates of birth, different spellings of the school name, or undeclared previous refusals).

## **2.2 Valid passport**

Applicants must hold a passport that:

- Is valid for at least six months beyond the intended date of entry to the U.S. (unless exempted by a specific agreement between the U.S. and the applicant's country).
- Shows the correct spelling of the applicant's name in Roman letters.
- Has at least one or two blank pages for the visa foil and entry stamps.

For screening, verify that the passport is not expired, not damaged, and matches the identity details on DS-160 and SEVIS.

## **2.3 Form I-20 (for F-1/M-1) or DS-2019 (for J-1)**

Form I-20 is issued by a Student and Exchange Visitor Program-approved school for F-1 or M-1 students. It contains:

- Student's name, date of birth, SEVIS ID number.
- School information and school code.
- Program start and end dates.
- Program level and field of study.
- Tuition fees and estimated living expenses.

- Details of any scholarships or school financial support.

Key screening checks for I-20:

- SEVIS ID on the I-20 matches the DS-160 and the SEVIS payment receipt.
- Program start date is in the future, and the visa is requested within the allowed time window (you can generally apply up to 365 days before the program start, but you may enter the U.S. no earlier than 30 days before that date).
- The program is full-time and at an appropriate educational level.
- The financial information on the I-20 (costs and funding sources) is consistent with the financial documents submitted.

For J-1 programs, DS-2019 plays a similar role, listing program sponsor, category, and funding information.

## **2.4 SEVIS I-901 fee payment receipt**

Before a visa interview, most F-1, M-1 and J-1 applicants must pay the SEVIS I-901 fee and print the payment confirmation receipt. This fee supports the Student and Exchange Visitor Information System used to track students and exchange visitors in the U.S.

Screening points:

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- SEVIS ID on the receipt must match the SEVIS ID on Form I-20/DS-2019.
  - The payment date should be before the interview.
  - If a student changes school and receives a new I-20 with a new SEVIS ID, a new SEVIS fee may be required unless the rules allow a transfer of the previous fee.

### **3. INTERVIEW APPOINTMENT, PHOTO AND MRV FEE**

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#### **3.1 Visa application (MRV) fee payment**

Most applicants pay a Machine-Readable Visa (MRV) fee before scheduling the interview. Procedures vary by country but usually involve creating an online profile, paying the fee, and then selecting an appointment slot.

Screening system tasks:

- Record the MRV payment confirmation number and date.
- Check that the barcode number on the appointment confirmation matches the DS-160 and profile.

#### **3.2 Digital photo**

U.S. visa photos must follow strict rules for size, background, face position, and recency. Often the photo is uploaded as part of the DS-160, and sometimes you must bring a printed copy to the interview.

A screening engine can check that:

- A photo was successfully uploaded.
- The photo meets basic specifications (for example, square aspect ratio, no heavy editing).
- The same photo (or a recent one) appears in the application profile to reduce identity risk.

#### **3.3 Appointment confirmation**

Applicants must bring the interview appointment confirmation page. While this is not a “screening” document for immigration rules, missing it can prevent access to the consulate. A comprehensive system may still track it so that checklists shown to students are complete.

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## **4. FINANCIAL EVIDENCE FOR STUDY IN THE U.S.**

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A major part of U.S. student visa screening is verifying that the applicant can afford their education without working illegally or relying on public funds.

### **4.1 How much funding is required?**

The minimum funding is usually based on the school's estimate of:

- Tuition and required fees for one academic year (or the whole program if shorter), and
- Estimated living expenses (housing, food, insurance, books, etc.) for 9–12 months.

These estimates appear on the I-20 or DS-2019. Some consulates also publish rough funding guidelines. Students must show they have enough money from acceptable sources to cover these costs for at least the first year, and often must indicate a plausible plan for the entire program duration.

### **4.2 Types of acceptable financial documents**

Common evidence includes:

- Bank statements or bank letters for personal savings accounts.
- Fixed deposits or certificates of deposit that can be liquidated.

- Scholarship letters from the school or external sponsors.
- Approved educational loan letters.
- Evidence of sponsor income such as salary slips, tax returns, or business registration if the funds come from parents or relatives.

The screening system should verify that:

- The documents clearly show the account holder's name, institution name, account number, and currency.
- Balances are sufficient to meet or exceed the required amount when converted to U.S. dollars using an appropriate rate.
- Funds appear stable and legitimately obtained rather than sudden unexplained large deposits immediately before the visa interview.
- If multiple sponsors are used, the combined funding still meets the requirement and each sponsor's relationship to the student is documented.

#### **4.3 Sponsor relationship and intent**

In many countries, parents or close relatives act as financial sponsors. Officers will look for:

- Proof of relationship (birth certificates, family registers, etc., if requested).
- A reasonable link between the sponsor's income and the promised funding.
- A logical explanation of why the sponsor is willing and able to support the student.

For visa-screening logic, flags should appear when income seems inconsistent with savings, or when the sponsor is a distant acquaintance with no clear reason to provide large sums.

#### **4.4 Common financial refusal patterns**

Typical reasons for denial related to finance include:

- Insufficient funds to cover tuition plus living costs.
  - Use of documents from unregulated banks or unverifiable financial institutions.
  - Over-reliance on funds that are not easily accessible (for example, property valuations without a loan or sale).
  - Financial stories that conflict with the student's stated background or DS-160 answers.
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## **5. ACADEMIC, ENGLISH AND STUDY-PLAN EVIDENCE**

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### **5.1 Admission letter and academic documents**

Although the primary official record of admission is the I-20 or DS-2019, students usually bring:

- University admission or offer letter.
- Academic transcripts and diplomas (school, college, previous university).
- Standardized test scores (such as TOEFL, IELTS, PTE, SAT, ACT, GRE, GMAT) if required by the school.

These documents help show that the student is academically prepared.

Screening checks:

- The course details in the admission letter are consistent with the I-20 (program name, level, start date).

- Academic history in DS-160 matches the transcripts and qualifications supplied.
- Any gaps in education or work history are explained.

## 5.2 English-language ability

For most academic programs, U.S. schools set minimum English-language requirements. The consular officer may also informally evaluate English during the interview. Poor language ability may raise doubts about whether the student can follow the course and whether the offer of admission is genuine.

A screening engine can:

- Record test names, scores, and test dates.
- Compare scores with program requirements.
- Flag missing or expired English-language evidence for schools that normally require it.

## 5.3 Study plans and career goals

During the interview, officers often ask why the applicant chose that particular course, university and country, and how the education fits into their long-term plans. There is no separate document for this, but consistency between the personal statement provided to the university, DS-160 answers, and interview responses is crucial.

From a visa-screening perspective, large mismatches (for example, weak academic history but very expensive, unrelated course with vague career plan) may signal higher refusal risk.

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## 6. NONIMMIGRANT INTENT AND TIES TO HOME COUNTRY (INA 214(b))

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Under section 214(b) of the U.S. Immigration and Nationality Act, most nonimmigrant visa applicants are presumed to be intending immigrants unless they can convince the officer that they will respect the terms of their visa and leave the U.S. or change status lawfully at the end of their permitted stay.

For students, this means demonstrating both:

- A credible plan to study full-time and follow status rules; and
- Strong connections (“ties”) outside the U.S. that make it likely they will leave after study, such as family responsibilities, career prospects, property, or business.

## **6.1 Typical “ties” evidence**

Applicants may bring informal supporting documents such as:

- Evidence of family living in the home country (family registers, residence documents).
- Proof of owned property or long-term tenancy.
- Letters from employers noting future job opportunities after graduation.
- Business registration certificates or partnership documents.
- Previous international travel history showing they respected visa rules in other countries.

These documents are not always requested, but they can help in borderline cases. A decision-support system could store such evidence metadata and mark applications where ties appear weak, which may require extra preparation for the interview.

## **6.2 Common 214(b) refusal patterns**

Frequent reasons for refusal under 214(b) include:

- Inability to explain why the chosen course and university make sense for the applicant's background.
  - Very weak career plans or unrealistic expectations about working long-term in the U.S. on a temporary student visa.
  - Inadequate financial situation combined with an expensive course.
  - Major inconsistencies between DS-160, documents and interview answers.
  - Lack of clear connections to the home country or evidence of plans to remain in the U.S. permanently without an immigrant visa route.
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## 7. SECURITY, PUBLIC-SAFETY AND PUBLIC-HEALTH SCREENING

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### 7.1 Security and criminality checks

Information from the DS-160, biometrics appointment and other databases is used to run checks for criminal records, terrorism links, previous immigration violations, and other security concerns. Officers and automated systems look for:

- Past arrests or convictions, especially for serious offences.
- History of overstaying visas or working without authorization.
- Inconsistencies in identity information that suggest fraud.

Most of these checks use government databases and are not visible to the applicant. However, a visa-screening tool for training purposes can simulate this by including questions about previous refusals, travel history and any legal incidents.

### 7.2 Social-media and digital-footprint review

Recent policy requires applicants to list social-media handles. Consular posts may review public social-media content for signs of:

- Support for violence or terrorism.
- Clear fraud (for example, posts contradicting stated employment or study plans).
- Involvement in scams or visa-selling schemes.

Students should assume that anything they post publicly could be considered, and a screening checklist can remind them to ensure their online presence matches the story in their application.

### **7.3 Medical and vaccination issues**

Most student visa applicants do not need a full immigrant-style medical exam, but they must truthfully answer DS-160 questions on communicable diseases, harmful behaviour and drug use. Later, when applying for student health insurance or when entering the U.S., they may need to show vaccination records or undergo health checks required by the school.

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## **8. BIOMETRICS, INTERVIEW AND PORT-OF-ENTRY SCREENING**

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### **8.1 Biometrics collection**

Many countries now use a two-step process:

- Biometrics appointment at a visa application center, where fingerprints and a digital photograph are captured.
- Visa interview at the U.S. Embassy or Consulate.

Biometrics link the applicant's identity to their DS-160 data and enable checks against U.S. and international databases. A screening system should confirm that the biometrics appointment is scheduled/completed before the interview date.

## 8.2 Visa interview

The visa interview is the core of the screening process. The officer has access to:

- DS-160 responses.
- SEVIS data and I-20 information.
- Previous U.S. visas and travel history.
- Security and risk-assessment tools.

During the interview, the officer may ask questions about:

- The chosen program and university.
- Funding sources and how the family earns money.
- Ties to the home country and future plans.
- Previous travel and visa history.
- Any unusual items in the DS-160 or documents.

For a training or RAG-based screening system, sample interview questions and ideal answer patterns can be added as separate knowledge chunks linked to specific risk factors (for example, low grades, late program changes, or large unexplained deposits).

## 8.3 Admission at the U.S. port of entry

Even with a valid visa, a student is separately screened by Customs and Border Protection (CBP) when they arrive in the U.S. They must carry:

- Passport with valid student visa.
- Original Form I-20 or DS-2019 signed by the school.
- SEVIS fee payment proof.
- School contact information and financial evidence, in case CBP asks to see it.

CBP officers decide whether to admit the student and for how long (recorded electronically as the I-94 admission record). A thorough visa-screening training tool should cover this final step and remind students that they must obey CBP's instructions and verify their I-94 details online after entry.

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## **9. HIGH-LEVEL CHECKLIST FOR A U.S. STUDENT VISA SCREENING SYSTEM**

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The following checklist summarises the main items a visa-screening or advisory system should verify. Each point can be turned into a yes/no rule, flag, or question to the user.

### A. Identity and core records

- 1. Passport valid at least six months beyond intended entry.**
- 2. DS-160 completed and submitted; confirmation page generated.**
- 3. Personal details consistent across passport, DS-160, I-20/DS-2019 and school records.**
- 4. SEVIS record active and SEVIS ID consistent across all documents.**
- 5. SEVIS I-901 fee paid; receipt linked to correct SEVIS ID.**

### B. Course and admission

- 6. Applicant holds a valid I-20 (or DS-2019) from a SEVP-approved institution.**
- 7. Program is full-time and appropriate for the student's academic background.**
- 8. Program start date, level, and major make sense and match admission letter.**
- 9. Standardised tests and academic history support the likelihood of success.**

C. Financial sufficiency

**10. School's estimated annual cost recorded from I-20.**

11. Sufficient liquid funds shown to cover tuition and living costs for at least one year.
12. Financial documents are recent, verifiable, and logically connected to the sponsors.
13. Educational loans, if used, are approved in writing by a recognised lender.
14. Funding plan for the remaining years (if the degree is longer) is plausible.

D. Nonimmigrant intent and ties

15. DS-160 answers and interview preparation show clear plans to return or change status lawfully.
16. Evidence of ties (family, property, career prospects, business) is gathered where appropriate.
17. No major contradictions suggesting the applicant's real goal is long-term work or immigration via a temporary student visa alone.

E. Security and compliance

18. DS-160 security questions answered; no undisclosed arrests, convictions, or immigration violations.
19. Social-media identifiers provided; online activity does not obviously conflict with stated intentions.
20. Biometrics collected successfully and matched with identity records.
21. No hits in security databases that would require mandatory refusal without a waiver.

F. Process completion

22. MRV fee paid; interview scheduled and appointment confirmation available.
  23. Required supporting documents selected according to local embassy/consulate checklist.
  24. Applicant understands student-status responsibilities after arrival (full-time study, reporting address changes, employment limits, etc.).
  25. Port-of-entry requirements explained: carry passport, visa, I-20/DS-2019, SEVIS receipt and school contact details.
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## **10. CONCLUSION AND BEST PRACTICES FOR U.S. VISA SCREENING**

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The U.S. student visa system is structured around three big questions:

- 1. Are you a genuine student?**
- 2. Can you afford to study without breaking the rules?**
- 3. Will you respect the terms of the visa and U.S. law?**

Most document requirements and interview questions connect back to these three ideas. Many refusals happen not because a student is ineligible, but because the application file is incomplete, inconsistent, or poorly explained.

A well-designed U.S. visa-screening tool or RAG-based assistant should therefore:

- Collect all core documents in a structured way (passport, DS-160 details, I-20, SEVIS receipt, financial evidence, academic records).
- Automatically cross-check names, dates, and key numbers to catch mistakes early.

- Calculate approximate minimum funding requirements and compare them against uploaded financial documents.
- Ask dynamic follow-up questions based on risk indicators (large recent deposits, frequent previous refusals, weak explanation of course choice).
- Provide customised checklists based on the country of application, visa category (F-1/M-1/J-1), and presence of dependants.
- Offer practice interview prompts and feedback that help applicants give clear, truthful, and concise answers.
- Emphasise honesty and consistency across all stages: university application, DS-160, interview, and arrival at the port of entry.

For real applications, students must always follow the latest instructions from travel.state.gov, the SEVP/SEVIS program, and their local U.S. embassy or consulate. However, this “U.S. Visa Screening” document offers a detailed conceptual map of the F-1 student visa screening process and can be stored as a rich knowledge source within your visa-assistant system.