

Immigration

What is USCIS?

On March 1, services formerly provided by the Immigration and Naturalization Service (INS) transitioned into the Department of Homeland Security (DHS) under US Citizenship & Immigration Services (USCIS). In support of the DHS overall mission, the immediate priorities of the new USCIS are: to promote national security continue to eliminate immigration adjudications backlogs implement solutions for improving immigration customer services.

The USCIS will continue efforts to fundamentally transform and improve the delivery of immigration and citizenship services. This is the government bureau that Golden Gate University works with to ensure that we are servicing our international students safely and legally. Our main component is a database called SEVIS.

What is SEVIS?

SEVIS stands for Student and Exchange Visitor Information System. SEVIS is an electronic (internet) database that United States colleges and universities use to communicate international student information with the USCIS. As of August 1, 2003 all colleges and universities were required to enter information in SEVIS for all F-1 students. This information includes: enrollment, current address, change of status, reduced course loads, school transfers, employment authorizations

Who pays the SEVIS fee?

Prospective students with initial attendance I-20s dated on or after September 1, 2004 who are applying for an initial F-1 visa from outside the US. F-2 dependents (spouse and children under age of 21) do not have to pay the SEVIS fee.

When do I pay the SEVIS fee?

The fee must be paid at least three business days prior to applying for your visa and attending your interview. For Canadians, applying for admission at a US port of entry, the fee should also be paid three business days in advance.

How do I pay the fee?

The fee can be paid to the DHS online, at a Western Union that offers Quick Pay service, or by mail and must be accompanied by a Form I-901. It can be paid by you or by a third party, inside or outside the US. AAU strongly recommends that you pay the fee online.

To Pay Online (Recommended): Complete the form online and supply the necessary Visa, MasterCard or American Express information. Be sure to enter your last name, first name, date of birth, and SEVIS ID exactly as it appears on your I-20 form (located in the upper right corner of page 1). Print a copy of the online receipt.

To Pay By Mail: Complete the Form I-901. Be sure to write your last name, first name, date of birth, and SEVIS ID exactly as it appears on your I-20 form. Prepare a check, international money order or foreign draft (drawn on US banks only) in the amount of \$100 USD, made payable to "The Department of Homeland Security." Mail the completed Form I-901 and payment to the address listed on Form I-901. A Form I-797 receipt notice should be mailed within 3 days of processing the fee. Be sure to make copies of your receipt, and keep it with your other important immigration documents.

What if my F-1 visa application is denied?

The SEVIS fee will not be refunded. However, if you reapply for a new F-1 visa within 12 months of the denial, you will not have to pay the fee again.

If the visa in my passport expires while I am in the U.S. must I leave the country to renew it?

The visa in your passport is an "entry permit" only, so you need not be concerned if it expires once you have already entered the U.S. unless you plan to travel out of the U.S and re-enter, in which case you will need to go to the U.S. Consulate (preferably in your home country) and apply for a new visa stamp. When you go to the Consulate to apply for the new visa stamp, you should bring with you your I-20 (if you are a student on an F-1 visa), which, unless it's a brand new document (consisting of both the "school copy" as well as the "student copy"), should be endorsed on the back by one of the I-Center designated school officials. It is also strongly recommended that you bring proof that you have the funding to cover your tuition and living expenses and a letter from your advisor stating that you are in good standing and making adequate progress toward your degree.

Can I apply for a US visa in a country, which is not my country?

You may have reason to apply for a US visa in a country other than your home country. An advance appointment with the US Consulate or Embassy is almost always required in this case. Generally, you should have a good reason for applying for a US visa at a US Consulate, which is not located in your home country. A good reason might be participation in a professional conference or visiting a relative in the third country. Realize that US State Department preference is for you to handle visa issuance in your home country, so you will not have top priority in another country. For consulate specific visa application procedures, check the US Department of State website at http://travel.state.gov/visa/questions_embassy.html.

What is automatic visa revalidation?

F-1 students traveling to Canada, Mexico, or one of the islands off the US other than Cuba for pleasure or vacation for fewer than 30 days, can return to the US using an expired US entry visa of any type, as long as you have a valid passport, I-94, and signed I-20 or DS-2019 as specified above. Automatic revalidation does not apply to residents of Mexico or the islands who are returning to their home countries. Additionally, citizens of Cuba, Iraq, Iran, Libya, North Korea, Syria, and the Sudan are not eligible for automatic revalidation.

NOTE: As of April 2002, the automatic revalidation policy does not apply to people who travel to Canada or Mexico for the purpose of applying for a new US visa. If the visa is denied, the person will NOT be allowed to reenter the US. Consult with an OIE advisor if you have questions regarding a US visa application in Canada or Mexico.

How often should the back of my I-20 be endorsed?

Each signature is valid for re-entry for up to one year or 6 months if you travel while on OPT. It is not necessary to have it signed every time you travel unless you need to go to a U.S Consulate to have the visa stamp in your passport renewed, in which case it is recommended that you have it signed shortly before travel. Keep in mind that if you remain out of the U.S for more than 5 months, you will need to request a new I-20 for re-entry, since the travel endorsement is not valid for an absence from the U.S of more than 5 months.

Can I use more than one type of OPT?

Yes, but you only have 12 months of OPT per degree level sought. Part-time OPT is deducted from the 12 month total at a rate of 50 percent. For

example, if you use 6 months of part-time optional practical training, this is equivalent to using 3 months of full-time optional practical training. You will need to file a new application and pay the \$175 fee for each period of OPT your request.

When should I apply for OPT?

All requests for OPT must be received by the California Service Center before the date of your graduation. Your date of graduation is the date you complete all of the requirements for your program of study. Your graduation date is not the date of your graduation ceremony or the date you receive your diploma.

Requests for employment authorization require a minimum of 90 days to process. Sometimes it can take as many as 120 to 140 days for the California Service Center to process your request. You will need to plan ahead!

What kind of work can I do under OPT?

You should engage in work that is directly related to your field of study. The type of work you do should be commensurate with the degree level you have earned.

When do I become eligible to apply for OPT?

You must have been enrolled on a full-time basis for one full academic year.

If I plan to use my OPT after I graduate, when do I need to begin working?

All optional practical training must be completed within 14 months following completion of study. In other words, you may request an OPT start day within 60 days of your date of graduation. OPT does not require that you have a job, but if you remain in the US on OPT after graduation you should be looking for employment.

Can I check my OPT application status?

Check Your Application Status Online at <http://www.uscis.gov> or call 1-800-375-5283 or 949-831-8427. You will need to have your 13-character application receipt number. It is a 10 digits preceded by the letters "WAC."

When can I begin working?

You must receive your Employment Authorization Document (EAD) from the California Service Center before you begin working. The first day that you may begin work is the start date indicated on your EAD.

Can I continue using my optional practical training and begin a new degree program?

No. If you begin full-time study at another educational level, your OPT will be terminated. Students using OPT may take classes on a part-time basis if they are recreational in nature or considered incidental to status.

What if I don't receive my EAD in 90 days?

You may apply for an interim EAD at the San Francisco USCIS Office (444 Washington Street). USCIS now requires individuals seeking a temporary EAD to make an appointment.

You will need to bring the following documents with you:

- Copies of all of your I-20s
- Notice of Action Letter (original and photocopy)
- Passport and photocopies of relevant passport
- I-94 card and photocopy of front and back of the card
- Newly completed I-765 form. Write "interim EAD, no fee" on top of the form

How does OPT affect my ability to travel outside of the US?

The Student and Exchange Visitor Program (SEVP), an Office of the US Department of Homeland Security, recently revisited its policy concerning re-entry for students on OPT. Based on this new interpretation we advise students to travel outside the US only if they can establish that they are currently employed in the US or have a valid offer of employment.

Students on OPT should plan to present the following documents at the US Port of Entry:

- A valid EAD
- An official letter of employment or offer letter

- A current I-20 with a travel signature on the third page, dated within the last six months
- A valid F-1 visa
- A passport valid for at least six months

I lost my EAD card, how do I get a new one?

You will need to apply to the California Service Center for a new card. You will need to submit a copy of your original application as well as a new \$340 application fee. If you have a copy of your lost EAD card you should submit this as well. You may continue working with the same company while your request is being processed.

I applied for my EAD more than two months ago and I am scheduled to work very soon. Can the company pay me at a later date for the short period that I did not have my EAD?

No working without a work permit is a serious violation of your immigration status, and could be grounds for deportation.

How long will it take to receive employment authorization?

Requests for employment authorization require a minimum of 90 days to process. Sometimes it can take as many as 120 to 140 days for the California Service Center to process your request. You will need to plan ahead!

What kind of work can I do under severe economic hardship?

You can work in any field. This type of work authorization does not limit the type of job you can do.

Does work under sever economic hardship affect my eligibility to apply for OPT or to work on campus?

No. This type of work does not count toward the 20 hour per week on-campus maximum. In other words, you may still work 20 hours per week on campus and also work off campus using your severe economic hardship authorization. It also does not affect your eligibility for optional practical training.