

# TRAVEL FOR J-1 SCHOLARS & H-1B EMPLOYEES



## RE-ENTRY TO THE UNITED STATES

### **J-1 SCHOLARS and J-2 Dependents**

- Valid DS-2019 form with travel signature that is less than one year old
- Valid passport
- Valid J-1 or J-2 visa (except Canadian citizens)

### **H-1B EMPLOYEES and H-4 dependents**

- Original, unexpired Form I-797 Approval Notice
- Valid H-1B or H-4 visa (except Canadian citizens)
- Valid passport
- Entire H-1B packet you received from OIA
- Travel Letter from OIA (request at least one week before traveling)
- Employment confirmation letter from your department

## VISA RENEWAL

### **J SCHOLARS, H-1B EMPLOYEES, and their dependents**

- All of the travel documents listed above in your category for re-entry except valid visa
- CV
- Offer letter from your department (recommended)
- 5-point letter if you are an MD (sent with the DS-2019 form. Only applies to J-1 Scholars)
- Proof of finances for J-1 Scholars
- Letter from PI or faculty advisor for those in advanced areas of science or technology in case of background check: <http://internationalaffairs.uchicago.edu/page/forestalling-shortening-background-checks-consular-posts>
- Any other documents listed on your specific U.S. embassy/consulate's website: <http://usembassy.gov/>

Notes: It is not possible to renew a visa inside the U.S. Current visa wait times can be viewed at: [http://travel.state.gov/visa/temp/wait/wait\\_4638.html](http://travel.state.gov/visa/temp/wait/wait_4638.html)

If you are planning to renew in a third country (i.e. not in your home country), be sure to check ahead of time to make sure the consulate will accept third country applicants.

Practice your visa interview. You will only have 3 or 5 minutes to make your case for the visa, and you should have thought about certain issues in depth. For example, you should be prepared to explain what you are working on at the University, what you plan to do after you complete your research, why you want to work in the U.S. rather than your home country, why you will return to your home country after completion of your research, and more. It is important to note that J-1 status is strictly non-immigrant status; if you show immigrant intent, the visa will be denied. H-1B status is a non-immigrant status, but it is one of the few visa categories recognized as *dual intent*, meaning an H-1B holder can have legal immigration intent (apply for and obtain a green card) while still a holder of the visa. At your visa interview, you should truthfully answer all questions, but you should only answer the questions asked and not offer any additional information.

## **REMINDERS FOR ALL**

- ✓ Valid documents, including a valid visa, do not guarantee admission to the U.S. Admission is always granted at the discretion of the port of entry officer.
- ✓ Authorization to work in the U.S. or offer letter does not exempt you from visa requirements.
- ✓ If you enter the U.S. by an air or sea port of entry, you will have an electronic I-94 record. The Customs and Border Patrol Officer will place an admission stamp in your passport noting the 'date of admission', the 'status admitted in', and the 'admitted until' date. You will be able to access and print an electronic version of the I-94 record by visiting <http://www.cbp.gov/I94>. Please note, when you are entering the U.S. through a land port of entry you will receive a paper I-94 card.
- ✓ If you are currently in possession of a paper I-94 card, you should surrender it to the commercial carrier or Customs and Border Patrol (CBP) upon departure. If you hold an electronic I-94 record, CBP will document the departure using information obtained from the commercial carrier.
- ✓ A travel signature on the DS-2019 form is not required in order to leave the U.S. (although it may be required to obtain entry to Canada or Mexico as proof of return in the case of third country national).
- ✓ If you will be visiting a third country, ensure that you have the proper entry documents for that country. To locate a consulate in Chicago or elsewhere in the U.S., go to: <http://www.state.gov/s/cpr/rls/fco/>
- ✓ Under no circumstances should you re-enter the U.S. on a B-1/B-2 visa or under the visa waiver program while you are working here.
- ✓ Complete and submit OIA's Travel Re-Entry form each time you return to campus from abroad: <https://internationalaffairs.uchicago.edu/content/travel-re-entry-form>

## **AUTOMATIC REVALIDATION OF VISAS**

J-1 Scholars and their J-2 dependents whose visas have expired and who plan to travel to Canada, Mexico or the adjacent Caribbean islands for 30 days or less may re-enter the U.S. as though their visa were still valid. Individuals in H-1B status and their dependents are also eligible for automatic visa revalidation when traveling to Canada or Mexico for less than 30 days. When in H-1B/H-4 status, traveling to any of the Caribbean islands under the automatic visa revalidation process is not an option. This also applies to J-1 Scholars and H-1B Employees who changed their status in the U.S. and whose visa is in the category in which they entered the U.S. Documents required for reentry to the U.S. include:

- Valid DS-2019 or I-797 form; DS-2019 must have valid travel signature as described above
- Valid passport
- Expired visa (either in current passport or previous passport)
- Approval notice of change of status, if applicable
- If you entered the U. S. prior to April 30, 2013, you will have a paper I-94 card in your possession. To re-enter the U S. on the basis of the Automatic Visa Revalidation, you must hold on to your paper I-94 card when you leave the U. S. The original I-94 card is needed to re-enter the U.S.
- If you entered the U. S. after April 30, 2013, you will have an electronic I-94 record. When departing, you will not need to surrender an I-94 card, as it will be in the electronic system. Upon re-entry into the U.S., a CBP officer will electronically verify and re-validate your I-94 record. There may be cases when you will need to demonstrate your eligibility for automatic revalidation. It is strongly suggested that you print out a copy of your electronic I-94 record from [www.cbp.gov/i94](http://www.cbp.gov/i94) prior to boarding the air or sea carrier.

Automatic revalidation **does not** apply to nationals of Cuba, Iran, North Korea, Syria, or Sudan or scholars and employees who applied for an H-1B or J visa during their visit and were denied. It also does not apply to those who are returning from another country via Canada, Mexico or the Caribbean islands.

