

# ALERTS

## Are you ready for summer travel?

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Vacation season is just around the corner. Whether you are a visa holder, tourist or U.S. permanent resident, organizing your travel documents is a critical part of international travel. Discovering an expired document too late can derail your travel plans and be costly to rectify. It is best to do a little research well ahead of any planned travel to avoid potential problems.

What follows is a brief guide to help you review your travel documents. If you have specific concerns or questions about your travel documents, please contact an MVA team member.

### Temporary Nonimmigrant Visa (NIV) Holders

Foreign nationals traveling to the U.S. on visas like H-1B, L-1 or B-1 must have a valid visa stamp. They should also have a passport valid for at least 6 months beyond the date they enter the U.S. Accompanying family members will also be subject to the same passport and visa requirements.

Renewing a foreign passport in the U.S. can take several weeks. Some countries require certain applicants to return to their home country to apply in person. Foreign nationals in the U.S. seeking a passport renewal should contact the Embassy of their home government.

Renewing a U.S. visa stamp requires a visit to a U.S. Consulate abroad, which in turn requires an appointment. Consulate appointments are in high demand from June through September and many Consulates have already opened up their appointment calendars for this peak season. Anyone who needs a visa appointment should confirm appointment availability in advance of their scheduled travel.

Visa processing also requires preparation of forms and gathering of necessary documents. Document requirements vary depending on the Consulate, and often requirements and procedures can change. It is important for applicants to confirm the most current procedures and requirements.

When planning travel, it is essential to understand how long the visa process may take. Applicants must leave their passports with the Consulate for visa issuance, which can limit travel. Processing times vary depending on the Consulate, however the standard is typically 5-7 business days. If the Consulate deems a visa applicant subject to a security clearance or administrative processing, the visa issuance could be delayed by several weeks.

U.S. Consulates have recently implemented new questioning for visa applicants who may be subject to "extreme vetting". Applicants from countries targeted in the recent executive orders (Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen) as well as individuals who travel frequently in the Middle East should anticipate additional questions at the Consulate.

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Applicants subject to this vetting process may be required to provide additional background information including: travel and employment history for the past 15 years; names and dates of birth for family members such as siblings, adult children or former spouse; and social media platforms and identifiers (handles) used in the past 5 years.

### Visa Waiver (ESTA) Travelers

The Visa Waiver Program allows citizens of 38 countries to travel to the U.S. visa free for visits of less than 90 days for tourism and business purposes. These individuals are required to enroll in the Electronic System Travel Authorization (ESTA) to undergo counterterrorism screening and must receive ESTA approval prior to their travel to the U.S.

The following travelers are no longer eligible to travel or be admitted to the U.S. under the VWP:

- Nationals of VWP countries who have traveled to or been present in Iran, Iraq, Sudan, or Syria on or after March 1, 2011 (with limited exceptions for travel for diplomatic or military purposes in the service of a VWP country).
- Nationals of VWP countries who are also nationals of Iran, Iraq, Sudan, or Syria.

Travelers who have been to any of these countries since receiving ESTA registration should check the status of their registration as it may have been revoked. Any traveler no longer eligible for the VWP will need to apply for a visa at a U.S. Consulate in order to enter the U.S.

### Permanent Residents (aka "Green Card Holders")

Green card holders must also have a valid passport and it is recommended that they have at least 6 months of validity on the passport. They should also check the validity of their green card.

As previously mentioned, renewing a foreign passport in the U.S. can take several weeks. Foreign nationals in the U.S. seeking a passport renewal should contact the Embassy of their home government.

Permanent residents with an expired green card and a pending green card renewal application may be able to receive a temporary I-551 stamp to allow for travel. The I-551 stamp is typically valid for 6 months and can be issued via an appointment at a local USCIS office.

Finally, travelers should also confirm the visa and vaccination requirements for their country of destination. If a visa is needed, it is best to contact that country's Embassy or Consulate in the U.S. Most governments have Consulates in major metropolitan areas like Washington DC, New York City, and Los Angeles as well as visa instructions available on their websites.