Human Resources: News & Events

CPB Reminds U.S. Bound Travelers from Visa Waiver Countries to Complete On-line Travel Authorization

U.S. Customs and Border Protection (CBP) reminds visitors from Visa Waiver Program (VWP) countries to obtain travel authorization through th
U.S.

The ESTA is an electronic system that all citizens of Visa Waiver Program (countries must use to obtain travel authorization prior to travel to the
up to two years or until the applicant's passport expires. The Department of Homeland Security recommends that ESTA applications be submitt

CPB warns that VWP travelers without an approved ESTA may not be allowed to board a U.S. bound air carrier after the 60-day transition perioc
ESTA applications may be completed online, free of charge at: https://esta.cbp.dhs.gov/

Department of State Proposal for Fee Increases for Nonimmigrant Visa Application Fees

The Department of State has proposed increasing visa application fees to "ensure sufficient resources to cover the increasing cost of processing
processing nonimmigrant visas through the collection of application fees.

Applicants for all non-petition based visas would pay a fee of $140. This includes B1/B2 business and tourist visas, all student and exchange vis

Applicants for petition-based visas would pay an application fee of $150. This includes the H (temporary employment and trainee), L (intracomp
entertainers), Q (international cultural exchange visitors), and R (religious occupations) visa categories. The K visa for fiancé (e)s of U.S.citizens
would be $390.

Collection of the new fees will not begin until DOS has considered all public comments and publishes the final rule in the Federal Register. For f
http://www.regulations.gov.

USCIS Announces New Mailing Address for All I-765 Applications

USCIS announced a change in the mailing address locations for all I-765 applications. This includes F-1 Optional Practical Training, STEM OPT
employment authorization.

Please read the full announcement at
http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=3ca0808dfb107210VgnVCM100000082ca60a
for links to the new Form I-765 application form and a chart of "Direct Filing Addresses for Form I-765, Application for Employment Authorizatio

January 2007

Passports

Effective January 23, 2007, all persons including citizens of the United States, are required to present a passport, or other accepted secure docu
United States when arriving by air from Canada, Mexico, Central and South America, the Caribbean, and Bermuda. It is anticipated that this req
2008.

November 27, 2006

J-1 Program Change

The Department of State recently published a rule regarding key changes to the Exchange Visitor Program, which will impact J-1 visa holders in
November 4, 2006.

I expect that these changes will have a significant impact on our program that will require the sponsoring departments and foreign nationals to ca
outlined them below and let me know if you have any questions.

The major changes include:

5 Year Rule:

- The maximum period of participation for a J Research Scholar has increased from three years to five years. The five year period is not c
participation begins on the program start date on the form DS-2019. Exchange Visitors classified as a Research Scholar may now exter
specific length of time and determined by the funding amount that is requested by the sponsoring department.

- Health Insurance:
    - Health insurance coverage remains mandatory for J-1 exchange visitors and their J-2 dependents during their entire stay in the U

2-Year Bar:

A new 24 month (two-year) bar on repeat participation is instituted for Research Scholars who complete their program participation.

Once an exchange visitor enters the U.S. in J-1 status as a Research Scholar, the 5-year “window” opens. And when the program ends, whethe 2-year bar on repeat participation as a Research Scholar.

The 2-year bar is not the same as the 212(e) 2-year home residency requirement (see below).

The 2-year bar means that the exchange visitor will not be able to start a new Research Scholar program until 2 years have passed from the cor U.S. in another J category (e.g., Short-Term Scholar) or in another immigration status (e.g., H-1B), if possible.

The new two-year bar will only apply to those who complete their program on or after implementation of the new rule. The existing one-year bar to implementation of the new rule.

Short Program Duration = Short-Term Scholar Category:

Exchange Visitors whose programs are scheduled to last 6 months or less, are issued DS-2019 forms for the Short-Term Scholar category. An bar.

The Short-Term Scholar category allows a maximum stay of 6 months and cannot be extended beyond the 6 months. If the researcher needs tc the U.S. with a new DS-2019 is possible. This new DS-2019 may either be issued for another Short-Term Scholar program or for the Research additional 6 months.

With a new DS-2019 form, a new SEVIS fee must be paid. A new J-1 visa application must also be made at a U.S. consulate abroad; unless the without a new J visa application (this is known as Automatic Visa Revalidation and is permitted for trips to Canada or Mexico of less than 30 day

212(e) 2-Year Home Country Residency Requirement:

The 212(e) 2-year home country residency requirement remains in effect for those exchange visitors who are subject to this section of the law ba international exchange purposes.

Persons subject to the 212(e) 2-year home country residency requirement are not eligible to change their immigration status in the U.S. and can been met or waived.

Those who are subject to 212(e) based on their research area may be able to obtain a waiver of the requirement from the State Department in c

Those subject based on government funding have very limited waiver options.

Please do not hesitate to contact me for any clarification, bandrews@whoi.edu or ext. 2203.

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