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International Travel FAQ for Students on OPT

Question: As an F1 student using the OPT benefit, can I exit and re-enter the U.S. during the OPT period?

- Yes, The U.S. government guidance states, "If USCIS has approved your OPT you will be expected to have your EAD in hand to re-enter the United States, in addition to your Form I-20, valid passport and visa, and a letter of employment if you have one. If you exceed the limits on unemployment while outside the United States, you will not be eligible to re-enter the United States in F-1 status."
 - http://www.ice.gov/sevis/travel/fag_f2.htm#_Toc81222043
- The following website offers helpful information for F1 students re-entering the U.S. while on OPT:
 - http://www.murthy.com/2012/12/07/f-1-students-be-prepared-while-traveling-on-opt/

USA

Question: As an F1 student using the OPT benefit, what do I need to re-enter the U.S. after traveling abroad?

- Your F1 I-20, signed in the last **6** months by an ISSS advisor. Your re-entry to the U.S. must be within 6 months from the last time the I-20 was signed.
- A passport that is valid six months beyond the date of re-entry to the U.S.
- A valid F1 student visa (Citizens of Canada do not need a visa)
 - If you need to renew your F1 student visa while on OPT, ISSS recommends you speak with an ISSS advisor to discuss the possible risks involved.
 - Please contact ISSS to see if you are eligible for Automatic Visa Revalidation (AVR).
- Your valid OPT card (Employment Authorization Document, EAD)
 - Because you must have a valid EAD in order to re-enter the U.S., you will not be able to re-enter the U.S. after your original OPT EAD has expired and while your OPT STEM Extension is pending.
- Proof of employment in your major field of study, either pending or ongoing

Question: If my F1 visa has expired, can I re-enter the U.S. in a different status?

• If you re-enter the U.S. in any status other than F1 while on OPT, your F1 status will be invalidated and you will lose the OPT benefit.

Question: Can I renew my F1 student visa while on OPT or the OPT STEM Extension?

- Yes. Students who are on OPT or the OPT STEM Extension may apply for the F1 student visa. You will need a valid EAD as well as evidence that you already have a job or will have a job in the U.S., along with the other required visa renewal documents.
- When you apply for your F1 student visa, you should have the following:
 - A valid passport
 - An I-20 signed in the last six months
 - You do not need to pay the SEVIS fee again so please make sure you take your SEVIS fee receipt (form I-901). You can print your SEVIS fee receipt from https://www.fmjfee.com/i901fee/index.jsp
 - À valid EAD
 - An official job offer letter. ISSS recommends the offer letter show your salary, location of employment, whether or not the job is full-time or part-time, job duties, etc. You should be prepared to clearly explain how the job is related to your field of study.
- If you need to renew your F1 student visa while on OPT, ISSS recommends you speak with an ISSS advisor to discuss the possible risks involved.
 - OPT is a benefit of the non-immigrant F1 status which means if you indicate immigrant intent to the U.S. consular official, your F1 visa could be denied. Now that you are finished with your academic program and are on OPT, you must be prepared to clearly demonstrate non-immigrant intent.
 - Please visit the following website for visa interview tips:
 - http://www.nafsa.org/Find Resources/Supporting International Students And Scholars/Network Resources/International Student and Scholar Services/10 Points to Remember When Applying for a Nonimmigrant Visa/

Question: Can I re-enter the U.S. if I am maintaining my F1 status while on OPT by volunteering at least 20 hours a week in my field of study?

• This is a grey area. You must have proof of *employment* or pending *employment* when you re-enter the U.S. It is unclear whether or not the United States Customs and Border Protection officer at the U.S. port-of-entry will consider your volunteer employment sufficient enough to grant re-entry to the U.S. as an F1 student on OPT. ISSS advises students to take this into consideration before they travel internationally.

Question: Can I re-enter the U.S. after I have completed my OPT?

• F1 students cannot re-enter the U.S. during their grace period using their F1 visa/status.

Question: Can I travel internationally after my employer has filed an H-1B petition for me?

• ISSS advises F1 students to exercise caution when traveling abroad after an H-1B has been filed. Travel while the H-1B petition is pending will result in the denial of the change of status part of the H-1B petition. Travel after the H-1B has been approved is highly problematic. If the H-1B has been filed, please discuss any international travel plans with the official who filed the H-1B petition. ISSS will not advise F1 students regarding international travel once an H-1B petition has been filed.

Question: Can I travel during the OPT cap-gap period?

• In order to re-enter the U.S. while on OPT you need to present a valid Employment Authorization Document (EAD). Because most students will not have a valid EAD during the cap-gap period, international travel is not recommended. International travel at this time could also negatively impact the H-1B petition. Please discuss any international travel plans with the official who filed the H-1B petition.

Question: Will international travel while on OPT count as unemployment?

- The U.S. government guidance states, "Time spent outside the United States during an approved period of post-completion OPT counts as unemployment against the 90/120-day limits, unless the student is either:
 - o Employed during a period of leave authorized by an employer; or
 - Traveling as part of his or her employment. (SEVP Policy Guidance 1004-03)

Question: Will I get an I-94 when I re-enter the U.S.?

• U.S. Customs and Border Protection (CBP) has automated the Form I-94 at air and sea ports of entry. The paper form will no longer be provided to an international traveler upon arrival, except in limited circumstances. A paper I-94 is still issued at the land border ports of entry.

Question: Where can I get a copy of my I-94?

- A copy of your I-94 (record of admission) can be obtained from www.cbp.gov/l94. Please print your I-94 upon return and confirm the status is correct (F1) and that you are admitted for D/S (Duration of Status).
- Sometimes students have trouble retrieving the I-94. ISSS has a handout that offers I-94 retrieval trips:
 - http://www.colorado.edu/oie/node/1175/attachment/newest

Question: Should the Port of Entry Officer stamp my passport?

• Yes! The Port of Entry Officer should stamp your passport. The stamp should be a date stamp reflecting the date of entry and the correct port of entry. Please make sure the Port of Entry Officer also notates your status (F1), and writes D/S, which means you are admitted to the U.S. for <u>Duration</u> of <u>Status</u>

Question: I am currently outside the U.S. and I forgot my I-20 or the signature is more than a 6 months old! What do I do?

- Please contact ISSS right away and ISSS will try to send you a new I-20
 - o If ISSS cannot provide you with a new I-20 prior to your re-entry, then you will most likely be provisionally admitted for a period of only 30 days with a form I-515. You will have 30 days to mail in Form I-515 with whatever missing documents you had at the time of entry. If you receive an I-515, please come speak with an ISSS advisor immediately.

For any other questions you have regarding international travel, please visit the ISSS website at http://www.colorado.edu/oie/information-all-international-students/preparing-travel or email adviser@colorado.edu.