

M-Nonimmigrants: Entry and Exit

SEVP made every effort to provide complete answers to these common questions. However, each person's individual circumstances differ. So while these questions and answers serve as a general guide, they may not provide all the information you need to determine whether it is appropriate to travel or whether you will be readmitted to the United States. You can contact your Designated School Official (DSO), your embassy or consulate, or your legal counsel for further assistance.

Please remember that the U.S. Customs and Border Protection (CBP) officer at the Port of Entry (POE) decides whether or not nonimmigrants are admitted to the United States. This decision is based upon the facts and circumstances presented at the time you apply to enter. SEVP cannot guarantee that you will be admitted or readmitted to the United States.

9.1 INITIAL ENTRY FOR STUDENTS (M-1 NONIMMIGRANTS)

[to be added]

9.2 REENTRY FOR M-1 NONIMMIGRANTS TRAVELING OUTSIDE THE US FOR FIVE MONTHS OR LESS

This section of the FAQ applies to continuing M-1 students who travel outside the United States for five months or less.

Students should consult their Designated School Official (DSO) prior to traveling. Your DSO generally works in the International Student Office. You must have a current SEVIS Form I-20 endorsed for travel and your DSO needs to be able to verify that your SEVIS record is accurate and up-to-date.

If you were registered in NSEERS (Special Registration), be sure you follow the proper exit procedures. See the handout at <http://www.ice.gov/graphics/specialregistration/WalkawayMaterial.pdf> for detailed information. If you do not follow proper exit procedures, you may be denied admission to the United States at a later date.

For help with unfamiliar terms or abbreviations, consult the glossary.

9.2.A. What are the basic requirements for an M-1 to reenter the United States after traveling abroad on pleasure or personal business?

- A SEVIS Form I-20, endorsed for travel and signed by your DSO (see your DSO before you travel)
- You have been out of the United States for five months or less
- A current passport valid for at least six months after the date of your reentry or, if you are from [one of the countries listed below](#), a passport that is current through the date of entry
- A valid, current visa or you traveled to [contiguous country](#) for less than thirty days

- Financial information showing proof of necessary funds to cover tuition and living expenses
 - Be sure that you are able to return before your current program end date
- Bringing your most recent I-94, Departure Card, will facilitate your reentry, if reentering through a land POE. If you are flying, the airline will collect your I-94 prior to departure and you will complete a new one upon reentry.

If you are from a visa exempt country, you do not need a passport or visa to reenter the United States from the western hemisphere.

9.2.B. What if I have an expired passport or one that will expire in less than six months?

You must renew your passport before reentering the United States. In most cases, to enter the United States, you must have a passport that is valid for at least six months after the date you enter or reenter.

However, [some countries](#) have an agreement with the United States that allows you to enter on a current passport up to the actual date of expiration.

Try to keep your passport current at all times. You need to determine your country's requirements for renewing passports as well as the time it will take. Many countries will allow you to renew your passport while in the United States. The other alternative is to renew your passport when you return home for a visit.

You may want to delay leaving the United States until you have renewed your passport. You will not be able to reenter the United States without a valid passport.

If your expired passport has a valid visa, you can still use it if you kept the old passport. Present the old passport, along with the new passport when you reenter the country.

The countries that have an agreement with the United States allowing entry with a passport until the date of expiration are:

Algeria	Antigua and Barbuda	Argentina
Australia	Austria	Bahamas
Bangladesh	Barbados	Belgium
Bolivia	Bosnia-Herzegovina	Brazil
Canada	Chile	Colombia
Costa Rica	Cote D'Ivoire	Cuba
Cyprus	Czech Republic	Denmark
Dominica	Dominican Republic	Ecuador
Egypt	El Salvador	Ethiopia

SEVP Operating Instruction
M Nonimmigrants: Entry and Exit

Finland	France	Germany
Greece	Grenada	Guatemala
Guinea	Guyana	Hong Kong (Certificates of Identity and passports)
Hungary	Iceland	India
Ireland	Israel	Italy
Jamaica	Japan	Jordan
Korea	Kuwait	Laos
Latvia	Lebanon	Liechtenstein
Luxembourg	Madagascar	Malaysia
Malta	Mauritius	Mexico
Monaco	Netherlands	New Zealand
Nicaragua	Nigeria	Norway
Oman	Pakistan	Panama
Paraguay	Peru	Philippines
Poland	Portugal	Qatar
Romania	Russia	Senegal
St. Kitts and Nevis	St. Lucia	St. Vincent and the Grenadines
Singapore	Slovak Republic	Slovenia
South Africa	Spain	Sri Lanka
Sudan	Suriname	Sweden
Switzerland	Syria	Taiwan
Thailand	Togo	Trinidad and Tobago
Tunisia	Turkey	United Arab Emirates
United Kingdom	Uruguay	Venezuela
Zimbabwe		

In addition, travel documents issued by the Government of the Trust Territory of the Pacific Islands are considered to be valid for the return of the bearer to the Trust Territory for a period of six months beyond the expiration date specified therein.

[Reference 8 CFR 214.1(a)(3)]

9.2.C. What if my M-1 student visa has expired?

You can stay in the United States on an expired M-1 visa as long as you maintain your student status. However, if you are returning home or traveling to a country where [automatic revalidation](#) does not apply, you must have a valid visa to return to the United States.

Ensure that you have all the documentation you need for your visa application and allow sufficient time for processing a new visa. The documentation you may need for a new visa includes, but is not limited to the following:

- A Form I-20, endorsed for travel and signed by your DSO and your original Form I-20 (see your DSO before you travel)
- Original evidence showing proof of necessary funds to cover tuition and living expenses
- Evidence showing your intent to return to your home country upon program completion with evidence of compelling social and economic ties to your home country
- Information on your area of research if it is on the Technology Alert List

The Department of State recommends that you apply for a visa in your home country. For more information about visa applications visit the Department of State website at www.UnitedStatesVisas.gov.

You can apply in a third country for a visa, but you will not be able to return to the United States until your visa has been issued. In some cases, this could take several weeks if a background check is required. If your visa is denied, you will not be able to return to the United States. Be sure to check the Department of State website for specific information pertaining to each consulate.

If you have an expired visa **and** a [terminated record](#), we strongly advise that you do not travel outside the United States until your SEVIS record shows that you are in active status. If you do travel, you may not be able to renew your visa or return to the United States.

9.2.D. As a continuing student, will I need to pay the SEVIS I-901 fee if I travel outside the United States?

No. See the I-901 FAQ for detailed information on the SEVIS I-901 fee.

9.2.E. I wish to travel to Canada or Mexico. Can I return if my visa is expired?

Yes, in most cases. You can usually revalidate an expired visa automatically when returning from a visit of less than thirty days to Canada or Mexico provided that you have a valid SEVIS Form I-20 and a valid unexpired Form I-94. This process is known as **automatic visa revalidation**.

However, if you meet any **one** of following criteria, ***you will not be able to automatically revalidate your visa.***

- You applied for a new visa and it has not been issued
- You applied for a new visa and were denied
- You have a terminated SEVIS record indicating that you are out of status
- You have been out the United States for more than thirty days
- You are a citizen of one of the following countries:
 - Cuba
 - Iran
 - Iraq
 - Libya
 - North Korea
 - Sudan
 - Syria

[Reference 8 CFR 214.1(b)(3)]

9.2.F. I want to travel to one of the islands adjacent to the United States. Will I be able to return if my visa has expired?

No. M nonimmigrants are not allowed to automatically revalidate when traveling to the adjacent islands. You may travel to these islands if you have a valid visa.

9.2.G. Which islands are defined as “adjacent islands”?

The adjacent islands are:

- Saint Pierre
- Miquelon
- The Dominican Republic
- Haiti
- Bermuda
- The Bahamas
- Barbados
- Jamaica
- The Windward and Leeward Islands
- Trinidad
- Martinique
- Other British, French, and Netherlands territory or possessions in or bordering on the Caribbean Sea

[Reference INA, Section 101(b)(5)]

9.2.H. Do I need a valid visa to visit Puerto Rico or the U.S. Virgin Islands?

No. You will need a valid SEVIS Form I-20 and a valid unexpired Form I-94. Be sure that you do not have a terminated SEVIS record indicating that you are out of status.

9.2.I. How do I know if I have a terminated record in SEVIS?

Your DSO can tell you what your SEVIS record status is and give you appropriate travel related advice.

9.2.J. I want to travel outside the United States, but my SEVIS record has been terminated. Can I return if I travel?

If you need to travel on a terminated record, you must visit your DSO. If your school has requested a data fix, the DSO will put your help desk ticket number on your Form I-20 and report your pending travel to SEVP.

There is no guarantee you will be readmitted to the United States if you travel on a terminated record. In most cases, inspectors will allow you to reenter the United States if you are otherwise admissible and your DSO has properly annotated your Form I-20. It is likely, however, you will be sent to secondary inspection while CBP determines whether you are eligible to return to the United States.

9.2.K. [Reserved]

9.2.L. Can I travel outside the United States if I have a Form I-539 request for extension of stay application pending?

Yes, however, you must return at least 15 days prior to your current program end date.

9.2.M. Can I reestablish M-1 student status by obtaining a new initial Form I-20 and reentering the United States?

Yes. However, you will be considered an initial student for SEVIS purposes. You will have to pay the SEVIS I-901 fee and **any time that you have accrued towards qualification for training or employment is lost.**

If you have a terminated student record, ask your DSO to open a help desk ticket to cancel that record.

9.2.N. Can I reenter during the 30-day grace period after finishing my program or after finishing OPT?

No.

9.2.O. Can I reenter if my request for OPT is pending?

No.

9.2.P. Can I reenter if I left while on OPT?

If your OPT has been approved and you depart before you get a job, your OPT ends and you cannot reenter.

If you have a job, you may travel and reenter to resume work.

9.2.Q. Are there any other requirements for travel outside the United States?

The questions above outline the general requirements for reentry for M-1 students. **However, because individual circumstances vary, consult your DSO, embassy, or legal advisor before traveling.** If you discuss your travel plans as soon as possible, this will allow time to ensure you have proper documentation for travel.

If you are not returning to your home country, you should check the requirements of the country you are visiting. Some countries will require a visa. You may also need an in-transit visa for countries where you are making a connecting flight. Be sure to check before you travel. Most countries have immigration websites that provide visa information.

9.3 RENEWING YOUR M-1 STUDENT VISA

9.3.A. Can I stay in the United States if my student visa has expired?

Yes, as long as you are student in good standing and have not violated your status, you may legally remain in the United States with an expired M-1 visa.

9.3.B. Can I renew my student visa while in the United States?

No. For more information about visa applications visit the Department of State website at www.UnitedStatesVisas.gov.

9.3.C. Can I renew my visa while outside the United States in a country other than my home country?

Yes, but the Department of State recommends that you apply for a visa in your home country. For more information about visa applications visit the Department of State website at www.UnitedStatesVisas.gov.

Before you travel to a country other than yours to renew your visa, contact the U.S. embassy or consulate.

If you exit the United States and apply for a visa, you cannot return to the United States until the visa is issued. This could require a lengthy stay. If the visa is denied, you will not be able to return to the United States as a student.

9.3.D. Can I go to Canada or Mexico and apply for a new visa?

In some cases, you can. Contact the individual U.S. embassy or consulate in Canada or Mexico. However, you cannot return to the United States until your

visa is issued. If the visa is denied, you will not be able to return to the United States as a student. For more information about visa applications visit the Department of State website at www.UnitedStatesVisas.gov. You can also visit www.nvars.com, the site that provides appointments for consulates in Canada and Mexico.

Applying for a new visa is **not** the same as [automatic visa revalidation](#). You cannot apply for a new visa and take advantage of automatic visa revalidation at the same time.

9.3.E. What is automatic visa revalidation?

Automatic visa revalidation allows most M-1 students to take a trip of less than thirty days to [countries contiguous to the United States and reenter on an expired visa](#) provided you have proper documentation and have not applied for a new visa during the visit. This process revalidates your visa (making it eligible for the single trip), but does not renew it.

9.4 INITIAL ENTRY FOR SPOUSES AND MINOR CHILDREN OF M-1 STUDENTS (M-2 NONIMMIGRANTS)

[To be added]

9.5 REENTRY FOR M-2 NONIMMIGRANTS

9.5.A. What documents do the spouse and minor children of a continuing M-1 student need to reenter to the United States after traveling abroad?

If you are the spouse or minor child of a continuing student you need to have the following:

- A current SEVIS Form I-20 in your name (and one for each M-2 traveling)
- A valid passport ([see the section above](#)) unless you are from a visa exempt country
- A valid visa unless you are from a visa exempt country or, in some cases, you are traveling to a [contiguous country](#)
- The primary (M-1) must be in active student status

9.5.B. Do M-2 nonimmigrants have to travel with the primary (M-1)?

No. However, you must be able to show that your primary (M-1) has been admitted and has maintained student status. We recommend that you consult with the DSO from your primary's school to ensure the M-1 is in status before traveling. You will need the documents [listed above](#).

If your primary has optional practical training (OPT) approved, you will need additional documentation. Make a copy of the primary's Form I-20 with the page

3 annotations and/or EAD (employment authorization document) and be prepared to present it at the consulate and POE.

9.5.C. If the primary (M-1) travels, can the M-2 nonimmigrant family members remain in the United States?

M-2 nonimmigrant family members may stay in the United States without the primary if the primary:

- Is in valid status
- Will return after a temporary absence using the same SEVIS ID number

9.5.D. What if I do not have a valid passport?

See the [related questions](#) in the M-1 section

9.5.E. What if my M-2 visa expired?

See the [related questions](#) in the M-1 section

9.5.F. I wish to travel to Canada, Mexico, or one of the islands (other than Cuba) adjacent to the United States. Can I return if my M-2 visa is expired?

See the [related question](#) in the M-1 section

9.5.G. Can I reenter if my primary has OPT pending?

No. You can travel after OPT is approved. ([See traveling without your primary.](#))

9.5.H. Are there any other requirements for M-2 nonimmigrants to travel outside the United States?

The questions above outline the general reentry requirements for M-2 nonimmigrants. If you have questions, consult with the DSO at your primary's school or seek advise from your embassy or legal advisor. However, if you are not returning to your country of citizenship, you should check the requirements of the country you are visiting. Some countries will require a visa. You may also need a visa for countries where you are making a connecting flight. Be sure to check before you travel.