

Mobility: immigration alert

December 2017

United States

Travel tips and planning for seeking admission to the US during the holiday season

International travel and visa application tips for the holidays

Each year, the holiday season is a busier-than-usual travel season, which can cause stress or delays while travelling internationally or applying for a US visa abroad. If you are a non-US citizen, in particular, taking a few moments to organize and review your documents before international travel or a visa interview may save you and your family time and frustration. Here are some tips to help you to “know before you go.”

- ▶ **Research your destination.** Before finalizing international travel plans, you may look up country-specific information, check for travel alerts and warnings, and look up specific US embassy and consulate information by visiting <https://travel.state.gov/content/travel/en/international-travel/International-Travel-Country-Information-Pages.html>. This may also be helpful in determining whether a particular US embassy or consulate is ideal for you to make a visa application.
- ▶ **Beware of any travel restrictions by nationality that may affect you.** The US has imposed varied travel restrictions on certain nationals from Chad, Iran, Libya, North Korea, Somalia, Syria, Venezuela, and Yemen. US lawful permanent residents, certain dual nationals, and visa holders are exempt; however, we recommend checking EY Law LLP’s most recent US immigration alerts for the latest.
- ▶ **Book your visa application appointment as soon as possible.** If you need to apply for a visa, we recommend booking your interview as soon as possible since appointment slots book up quickly during the holiday season. Due to the holiday rush, visa processing after your interview may also be delayed. Accordingly, do not rely on any published appointment or processing timelines since they are likely to change and subject to fluctuation.
- ▶ **Make sure your passport is in order.** Be sure to verify that your (and your family’s) passports are valid for at least six months subsequent to any international travel. If your passport will expire within six months of your planned US entry or visa interview, you should apply for a new passport. Also, be sure to sign your passport and complete the emergency contact information contained within.
- ▶ **Ensure you have a valid and appropriate visa.** If a visa is required for you to travel to the US, be sure to verify that your visa is valid for your US entry. Also identify whether any visa you have matches your appropriate nonimmigrant status. You should be admitted to the US in the status

listed on your visa. Sometimes US port of entry officials can admit you in the wrong status, which may have severe consequences, including losing your or your spouse’s work authorization, an unplanned status expiry, or compliance issues for your employer.

- ▶ **Carry all current status documents to verify your status and work authorization.** When passing through US customs or applying for a visa, you may be required to carry more than just a passport and a visa. Be sure to read the annotations on your visa to determine what other status documents you need to present to a customs officer. Please also reach out to your employer and your EY Law LLP representative for additional advice. There may be additional materials we recommend taking with you, such as proof of employment or a prepared application package.
- ▶ **Be sure your spouse and dependent children carry appropriate documentation.** Whether applying for a visa or simply seeking readmission to the US, your spouse and dependent children should carry a copy of their marriage certificate listing you as the spouse or birth certificate listing you as the parent to prove the familial relationship. If travelling or applying for a visa separate from you as the primary applicant, your dependent(s) should also carry copies of your biographical passport page, visa, status documents, and proof of employment. If travelling alone with a minor, you should obtain a notarized letter of consent from the non-accompanying parent to avoid any issues and delays while passing through customs.



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- ▶ **Determine if you should enter the US with an EAD/AP card or a visa.** If you have an Employment Authorization Document and Advance Parole (EAD/AP card) pursuant to a pending Green Card application, you may use your EAD/AP card to enter the US in lieu of a visa. Discuss with your employer and EY Law LLP representative beforehand to plan for extensions of your work authorization or reinstatement of your nonimmigrant status.
- ▶ **Check your Green Card expiry.** Green Card holders do not require a visa but are required to carry their Green Cards with them when entering and exiting the US. Before you leave the US, verify that your Green Card is valid for the duration of your trip.
- ▶ **Apply for Advance Parole before leaving the US for more than six months.** Best practice for Green Card holders is to apply for Advance Parole before leaving the US for a period of over six months. If you are a Green Card holder who plans to be outside the US for an extended period of time, we recommend discussing with your EY Law LLP representative.
- ▶ **Consider enrollment in NEXUS or Global Entry programs.** If you are a US or Canadian citizen or lawful permanent resident with at least three years of address history in either country, you may be eligible for NEXUS, allowing expedited processing when entering the US or Canada. Also, US citizens, US lawful permanent residents, and citizens of certain countries may be eligible for the Global Entry program, which also allows for expedited processing when entering the US. For more information, please visit: <https://www.cbp.gov/travel/trusted-traveler-programs/global-entry>.
- ▶ **Update NEXUS or Global Entry after any status changes.** While convenient, you must update NEXUS or Global Entry of changes in citizenship, permanent residency, or work authorization, by reporting to an Enrollment Center. Using NEXUS or Global Entry to enter the US without updating means you could be admitted to the US in the wrong status and may impact your work authorization, status expiry, and your NEXUS eligibility.
- ▶ **After admission to the US, look up your I-94 record of entry.** When you enter the US, your I-94 will likely be updated electronically. Be sure to check your I-94 after each US entry to ensure your status and expiry are correct. Note that the most recent I-94 overrides any previous status document, so it may be necessary to correct your I-94 if it is incorrectly issued. If there is a concern with your I-94, please alert your EY Law LLP representative immediately. You may look up your I-94 by visiting <https://i94.cbp.dhs.gov/i-94/#/home>.
- ▶ **Always be courteous and professional when interacting with customs and consular officials.** Remember that when applying for a visa or US entry, the officer has discretion to deny or approve your application.

How we can help

If you have any questions or concerns about upcoming international travel or visa application appointment, or if you have experienced any issues while travelling or during a visa interview, do not hesitate to reach out to one of our US immigration professionals to assist you. Given that there have been significant changes in US immigration policy and stepped-up scrutiny at customs and consular offices, many individuals and organizations feel increasingly concerned and uncertain. As such, we encourage you to stay connected to your EY Law LLP immigration professional and reach out to us directly for additional information.

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