

International Student Services Office of Admissions and Records

OPTIONAL PRACTICAL TRAINING TRAVEL ISSUES

Once I've applied for OPT, can I travel outside the U.S. while I wait for the EAD card to arrive? At this time, ICE states that you can travel while your OPT is pending in order to return and search for employment. However, this interpretation is a change from the previous operating instructions. We recommend that you not travel outside of the US while your OPT application is pending unless necessary. If you do travel while your OPT application is pending, it is uncertain as to your risk.

Can I travel while on OPT after I have received my EAD card but <u>before</u> I have found a job? ICE has stated that if your OPT has been approved, you have obtained your EAD card, and you depart the US <u>before</u> obtaining a job, your OPT is terminated and you may not reenter the US.

ICE has changed the previous operating instructions and has narrowed the interpretation of the regulations 8 CFR 214.2(f)(13)(ii) to state that you must reenter the US to "resume employment". We strongly recommend that you do not travel until you have a letter of employment or offer unless there is an emergency. If you try to reenter while on OPT but before receiving a job offer, it is unclear how much risk you will be assuming.

What documents do I need to reenter the US while on OPT?

OUHSC ISS recommends that you carry the following documents with you when you travel internationally. However, you only need to *show* what is requested from the visa officer or the customs official.

- 1. I-20 endorsed by a DSO for travel
- 2. EAD card
- 3. valid F-1 visa
- 4. passport
- 5. I-94
- 6. letter verifying your employment or job offer

NOTE: Students on OPT should note that the travel endorsement on page 3 of your I-20 is only good for 6 months while on OPT, not the one year as it is for students. You must take care to plan ahead and get the appropriate signature, especially if you will no longer be living in the area.

What if I still have time left on my student program? Can I travel during that time even though my I-20 shows that I have been recommended for OPT but the OPT application is still pending with CIS?

Yes, you may travel if there is still time left on your student program, but you must be returning as a student to complete academic requirements. For example, a student who has applied for OPT in May, is enrolled during the summer, and doesn't graduate until the end of the summer

term may travel as a student until his/her graduation date. In this case, we recommend that you travel with verification that you are a student during the summer term.

My visa has expired, but I need to travel outside the U.S. while on OPT. Can I renew my F-1 visa while on OPT?

Yes, you can renew your F-1 visa while on OPT. However, the risk of denial is higher than when you are in active student status, since your stay is now for working rather than going to school. The F-1 student visa requires that the applicant must intend to return to the home country at the end of the program, and if the visa issuing officer is not convinced of your intention to return home, the visa application could be denied.

What documentation do I need to renew my visa while on OPT?

When applying for a new visa, you need to include the documentation required for all F-1 visa holders, as well as a letter verifying your employment or job offer. Please contact a DSO for more information about visa renewal processing prior to traveling!

Does Automatic Revalidation still apply to me?

Yes, Automatic Revalidation still applies while you are on OPT. If you travel to a country that is contiguous to the US (Mexico, Canada, St. Pierre, Miquelon, Dominican Republic, Haiti, Bermuda, Jamaica, Winward and Leeward Islands, Trinidad and Tobago, Martinique) and you intend to stay less than 30 days and will <u>not</u> be applying for a new visa, you may reenter the US on an expired visa. (This does <u>not</u> apply for citizens of Iran, Iraq, Sudan, Libya, or Syria). In order to have your visa automatically revalidated, you must retain your I-94 card when exiting the US and present it when re-entering the US. You should travel with all other recommended documents. You should also note that if you travel to Canada or Mexico you may need a visa to get into that country.

How does travel outside of the US impact the period of unemployment?

If you travel outside of the US while unemployed, the time spent outside the US will count as unemployment toward the 90/120 day limits.

If you travel outside of the US while employed either during a period of leave authorized by your employer or as part of your employment, the time spent outside the US does not count as unemployment toward the 90/120 day limits.

If I have applied for a STEM extension, can I travel outside of the US if my current EAD card is expired and my extension request is pending?

No. You may not travel until you have received the new EAD card, or your application will be abandoned.

Can I travel outside the US during a cap-gap extension period and return to the US in F-1 status?

This issue has not yet been clarified. Students in this situation should consult with a DSO prior to traveling.

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