



OFFICE OF INTERNATIONAL STUDENT SERVICES

HUDSON VALLEY COMMUNITY COLLEGE

How to apply for a Visa at a border post if you are a Third Country National present in the United States, visiting Canada or Mexico

Any third country national (TCN) present in the United States and visitors present in Canada who wish to apply for a nonimmigrant visa at any of our border posts in Canada or Mexico must make an appointment for an interview. United States Consular offices are located in a number of locations including Calgary, Halifax, Montreal, Ottawa, Quebec City, Toronto, Vancouver and Tijuana.

On March 7, 2002 the U.S. Department of State announced new rules for non-immigrants who choose to apply for a new visa while in "contiguous territory" (Canada or Mexico). The new rules became effective April 1, 2002.

Even though U.S. non-immigrants may travel to Canada or Mexico for stays of thirty days or less and re-enter the United States with a valid I-94 Form on their expired U.S. visas (called the "automatic revalidation" benefit), some individuals use this trip as an opportunity to apply for a U.S. visa, to facilitate future entries to the United States after travel abroad. However, under the new rule, any non-immigrant who chooses to apply for a new visa while in Canada or Mexico will no longer be eligible for the "automatic revalidation" benefit during the course of that trip, but will have to wait until the visa is approved in order to re-enter the United States.

This means that a non-immigrant foreign national, who travels from the United States into Canada or Mexico, applies for a new U.S. visa there, and whose application is denied, will be barred from re-entering the United States. It is essential for international students to understand the risks that are now involved in applying for a U.S. visa in Canada or Mexico.

If the visa application is approved, there is no problem. **However, if the visa is denied, you cannot return to the United States!**

Additionally, citizens of the following countries are no longer eligible for the automatic revalidation of visa benefit: Iran, Iraq, Libya, Sudan, Syria, North Korea and Cuba. This means that a person who is a citizen of these countries can only enter Canada or Mexico and return to the United States if they have an unexpired multiple entry visa in their current status. Therefore, if you have an expired U.S. visa, is it a good idea to attempt to renew the visa at a U.S. visa issuing post in Canada, rather than in your home country?

Generally, the most successful visa applications are those from individuals who are applying for a visa in a category for which they have been previously issued a visa, and who are continuing at the same school and in the same program for which the original visa was issued. However the risks for those who travel to Canada or Mexico for a new U.S. visa have certainly increased, because should the visa application be denied for any reason, you will no longer be allowed to re-enter the United States.

Special note to Hudson Valley Community College students who have "landed immigrant" status in Canada:

You are strongly advised not to travel to a U.S. visa issuing post in Canada to obtain a new U.S. visa unless you have established a residency in Canada for which you can show proof. Examples of such proof include but are not limited to:

- Rent receipts
- Documentation of employment in Canada
- Documentation of immediate family living in Canada

Individuals who have "landed immigrant status" in Canada but who have not established residency in Canada will find it impossible to prove to a U.S. visa official that they have strong ties to Canada, and equally impossible to prove that they still have strong ties to their home country (U.S. visa officials will assume that anyone who has obtained "landed immigrant" status in Canada no longer plans to return to their country of citizenship). In such instances, U.S. visa officials will deny the visa application.

SCHEDULING APPOINTMENTS BY TELEPHONE

If you are in the United States and you wish to schedule an appointment, you should call **1-900-443-3131**; in Canada you should **call 1-900-451-2778**. Callers from the United States or Canada wishing to charge the cost of the call to a credit card may schedule an appointment by calling **1-888-840-0032**. Unlike the 900 numbers, which are blocked from most hotels, office or pay telephones, the credit card line can be accessed from virtually any telephone. The appointment system requires a touch-tone phone; a push-button rotary phone will not work.

SCHEDULING APPOINTMENTS BY INTERNET

Applicants can also book appointments via the Internet <http://nvars.com>. Each appointment costs \$6.25 Canadian, which will be charged to a major credit card. Applicants are advised to have their credit card information handy.

After your appointment is scheduled, you will be mailed an application form (OF-156) and an information sheet for the post where you will be applying. Please **DO NOT** call an individual post directly to request an appointment. They can only be scheduled by calling the appropriate 1-900 or 1-888 telephone number or by using the Internet.

HOURS OF OPERATION

Operators are available from 7 A.M. to 10 P.M. Eastern Time. Callers may have difficulty getting through if they call during the peak times of 7 A.M., 11 A.M., 2 P.M., 4:30 P.M. and 7 P.M. Eastern Time. Appointments for border posts outside the Eastern Time Zone can only be made after it is 7 A.M. in the post's time zone. The Internet system is available 24 hours a day, seven days a week.

Official U.S. State Department information on obtaining a new U.S. visa in Canada is now posted at <http://travel.state.gov/tcn.html>. Note that advance appointments are required at all U.S. visa issuing posts in Canada. However, here are some additional points to consider:

- Always come to the Office of International Student Services (OISS) first, as you would prior to any trip abroad, to be sure that your visa documents are accurate, and that you have the required signatures.
- **When applying for a new visa or returning to the United States after an absence of more than five months, that did not involve authorized overseas study, you are required to pay the I-901 (SEVIS) Fee. You should bring your the SEVIS Fee payment receipt with you when applying for a new F, M or J Visa.**
- Pick up a copy of the OISS handout, "Tips for Applying for Student Visa."
- You will also want our office to prepare a letter certifying that you are an enrolled student and maintaining valid status.
- Some students may also need to apply for a Canadian tourist visa (officially called a Temporary Residents Visa) to enter Canada. Go to <http://www.hvcc.edu/international/canada.html> for more information.

- Like any U.S. visa interview, expect to show evidence that your ties to your home country are stronger than your ties to the U.S., that you have sufficient financial resources to support your studies and living expenses, and that you are maintaining satisfactory academic progress at your school.
 - It is a good idea to have a copy of your Hudson Valley Community College transcript with you.
- Be prepared to answer the following questions:
 - Why are you applying for a new visa in Canada rather than in your home country?
 - Why have you chosen your specific field of study?
 - How will that field of study be useful in your home country?
- Appointments are required.
- Applicants who are unable to attend their scheduled appointments must cancel them two full working days prior to the appointment by calling toll-free to 1-888-611-6676.
- Visa applicants should take their appointment letters to the interview. They may be admitted without one, but absence of the letter could cause delays.
- None of the border posts will accept applications for "E" visas from TCN applicants who are not resident in their consular districts.
- Individuals who have ever been out of status in the United States because they overstayed their visa or their I-94 are not eligible to apply at a border post. **In other words, if you have remained in the United States longer than the period authorized by the immigration officer when you entered the United States in any visa category, you must apply in the country of your nationality.**
- Individuals seeking appointments should be aware that applicants may be more likely to encounter difficulties at the time of interview when they apply for a visa outside of their home district.
- Consular officers at border posts will deny visas whenever they believe there are fraud indicators present, or their lack of knowledge of local conditions and familiarity with documents in the applicant's home country prevents them from properly adjudicating the case.
- It is important to note that there is a high visa denial rate at many of the U.S. visa issuing posts in Canada **(Inconsistent and at times arbitrary decisions on the part of U.S. visa officials in Canada have been noted).**

Note: A significant amount of the content of this section was adapted from the International Student and Scholar Services Office at Binghamton University.