

PUBLICATION

Home for the Holidays

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November 15, 2022

As the holidays approach and you are considering traveling abroad, it's important to be mindful of the limited consular availability and need for a valid visa stamp to return to the U.S. (unless you're Canadian or traveling under automatic revalidation provisions). Now is the time to carefully review your immigration documents to ensure that you have the proper travel documents to return to the U.S. These documents include:

1. Passport valid for six months beyond your intended stay in the U.S. unless it is exempt based on country-specific agreements. A list of these countries can be found at <https://www.cbp.gov/document/bulletins/six-month-club-update>.
2. Valid, unexpired nonimmigrant visa (unless traveling to Mexico or Canada – or contiguous territories if an F or J applicant – for fewer than 30 days and eligible for automatic visa revalidation).
3. Other immigration documents as applicable, e.g., Form I-797 approval notice for petition-based visa holders (H-1B, O-1, etc.); DS-2019 for J-1 exchange visitors or I-20 endorsed for travel for F-1 students; endorsed I-129S for L-1 blanket intracompany transferees or certified LCA for E-3s.

If you are not traveling to your home country, you should check the visa requirements for your destination to ensure you have proper documentation to enter that country. This includes not only the immigration/visa documentation but also a COVID vaccination record or negative testing. These requirements change frequently and often with very little notice.

If your visa has expired or will be expiring, you should make all necessary arrangements before leaving the U.S. to apply for a visa while you are outside the U.S. You must allow sufficient time in your travel schedule to attend the interview and retrieve your passport from the consulate or embassy with the necessary visa stamp. In some instances, an interview waiver may be available for applicants filing in their home country who meet certain criteria, but the applicant must be present in the country of the consular post when application is submitted.

The general visa application procedures include three steps:

4. Complete the DS-160, Nonimmigrant Visa Application online (<https://ceac.state.gov/genniv>). FAQs regarding the DS-160 can be found at: <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/forms/ds-160-online-nonimmigrant-visa-application/ds-160-faqs.html>).
5. Pay the machine-readable visa (MRV) fee. Because payment procedures differ by consulate, you can find instructions for the location of your application at <https://ais.usvisa-info.com>. This site will also provide instructions for the applicable MRV fees as well as any additional fees, including SEVIS and reciprocity fees (<https://travel.state.gov/content/travel/en/us-visas/Visa-Reciprocity-and-Civil-Documents-by-Country.html>), required documentation, and courier return services for after the visa is

issued.

6. Schedule the appointment. To schedule the appointment, you need to either create an account or login to an existing account with the visa application center for the embassy or consulate where you are applying for the visa. In some instances, an interview waiver may be applicable.

For more information or assistance with the visa application process, contact the [Baker Donelson Immigration team](#).

Debra Amann, a paralegal at Baker Donelson, contributed to this article and is not admitted to the practice of law.