

Monday March 13, 2006

## **Changes in Earliest Issuance and Admission Dates for F, M and J Visas**

R 092051Z FEB 06

FM SECSTATE WASHDC

TO ALL DIPLOMATIC AND CONSULAR POSTS COLLECTIVE

UNCLAS STATE 021872

### **SUBJECT: CHANGES IN EARLIEST ISSUANCE AND ADMISSION DATES FOR F, M AND J VISAS**

1. AS ONE OF THE ELEMENTS OF THE RECENTLY ANNOUNCED RICE-CHERTOFF JOINT VISION, PERSONS APPLYING FOR INITIAL-ENTRY F-1, F-2 AND M-1 AND M-2 VISAS MAY NOW BE ISSUED THESE VISAS UP TO 120 DAYS BEFORE THE PROGRAM START DATE AS LISTED ON THEIR I-20S.
2. THESE CHANGES APPLY ONLY TO INITIAL-ENTRY STUDENTS. CONTINUING STUDENTS MAY APPLY FOR NEW F OR M VISAS AT ANY TIME, AS LONG AS THEY HAVE BEEN MAINTAINING STUDENT STATUS AND THEIR SEVIS RECORDS ARE CURRENT. CONTINUING STUDENTS MAY ALSO ENTER THE UNITED STATES AT ANY TIME BEFORE THEIR CLASSES START.
3. OFFICERS MAY ISSUE J-1 AND J-2 VISAS TO EXCHANGE VISITORS, HOWEVER, AT ANY TIME BEFORE THE BEGINNING OF THEIR PROGRAMS.
4. 9 FAM 41.61 NOTE 14.2 AND 9 FAM 41.62 NOTE 9.3 WILL BE ANNOTATED TO REFLECT THESE CHANGES, AS FOLLOWS:  
  
9 FAM 41.61 N14.2 ENTRY OF STUDENT PRIOR TO ENROLLMENT (CT:XXXX-XXX; XX-XX-2006)  
  
A. YOU MUST NOT ISSUE A STUDENT VISA TO AN APPLICANT MORE THAN 120 DAYS IN ADVANCE OF HIS OR HER STUDIES AND SHOULD NOTIFY THE APPLICANT THAT HE OR SHE CANNOT ENTER THE UNITED STATES MORE THAN 30 DAYS IN ADVANCE OF THE BEGINNING OF STUDIES. APPLICANTS CONTINUING ON A STUDENT VISA ARE NOT SUBJECT TO THIS RESTRICTION.  
  
9 FAM 41.62 N9.3 ENTRY OF EXCHANGE VISITOR PROGRAM PARTICIPANTS PRIOR TO ENROLLMENT (CT:XXXX-XXX; XX-XX-2006)  
  
A. POSTS MAY ISSUE AN EXCHANGE VISITOR'S VISA TO AN APPLICANT AT ANY TIME AS LONG AS THE FORM DS-2019 REMAINS VALID. HOWEVER, THE VISITOR MAY NOT ENTER THE UNITED STATES EARLIER THAN 30 DAYS BEFORE THE INITIAL PROGRAM START DATE. APPLICANTS CONTINUING ON AN EXCHANGE VISITORS PROGRAM ARE NOT SUBJECT TO THIS RESTRICTION.
6. POSTS SHOULD MAKE APPROPRIATE UPDATES TO CONSULAR WEBSITES AND OTHER INFORMATION SHEETS AS REQUIRED, AND INFORM STUDENTS AND EXCHANGE VISITORS OF THESE CHANGES AT THE TIME OF VISA ISSUANCE.
7. THE JOINT VISION STATEMENT ALSO ANNOUNCED THAT INITIAL-ENTRY STUDENTS MAY APPLY FOR ADMISSION TO THE UNITED STATES UP TO 45 DAYS BEFORE THEIR PROGRAM START DATES, ALTHOUGH DHS MUST PUBLISH A REGULATION TO IMPLEMENT THIS CHANGE. WE WILL NOTIFY POSTS WHEN DHS IMPLEMENTS THIS CHANGE, WHICH MAY TAKE SEVERAL MONTHS. UNTIL THEN, POSTS SHOULD CONTINUE INFORMING INITIAL-ENTRY F, M AND J VISA HOLDERS THAT THEY SHOULD NOT ENTER THE UNITED STATES MORE THAN 30 DAYS BEFORE THEIR PROGRAM START DATES.

RICE