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Immigration

Expansion of International Students Adjudicated Without In-Person Interviews

Legal Update

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By Immigration Group

This article was prepared with the assistance of ABIL, the Alliance of Business Immigration Lawyers, of which Loan Huynh, Fredrikson Immigration Department Chair, is a member.

The Department of State (DOS) announced on September 14, 2021, that it has authorized consular officers through the end of 2021 to expand the categories of F, M and “academic J visa applicants” (students, professors, research scholars, short-term scholars and specialists) whose applications can be adjudicated without an in-person interview in their consular district of residence, with certain exceptions. DOS said:

Consular officers may, if they so choose, and pursuant to local conditions, now waive the visa interview requirement for F, M and academic J visa applicants who were previously issued any type of visa, and who have never been refused a visa unless such refusal was overcome or waived and who have no apparent ineligibility or potential ineligibility; or first-time F, M and academic J visa applicants who are citizens or nationals of a country that participates in the Visa Waiver Program (VWP), provided they have no apparent ineligibility or potential ineligibility.

This applies only to non-U.S. citizens who are nationals of eligible countries, the agency said, noting that details about country eligibility and necessary procedures will be available on the website of the relevant embassy or consulate. Applicants from non-VWP countries “whose prior visa was issued when they were less than 14 years of age may need to submit biometric fingerprints but can still be approved for an interview waiver.”

Students seeking to apply for a new F-1 or M-1 visa should check the status of visa services at the nearest embassy or consulate; those who are found to be otherwise qualified for an F-1 or M-1 visa will automatically be considered for an NIE to travel, DOS said. Students and academics traveling on J-1 visas must contact the nearest embassy or consulate prior to travel to receive an NIE. DOS encourages applicants to check the website of the relevant U.S. embassy or consulate to confirm the services currently offered and to find guidelines for applying for a visa without an

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interview.