



Professional International Educator Roundtable – PIER

Minutes PIER Meeting

September 26, 2007

10:45 a.m. to 12:15 p.m.

Federal Building - San Diego, California

- A. **Welcome:** Chair Melissa Diaz welcomed everyone to the first PIER board meeting of 2007-2008
- B. **Acknowledgements of Outgoing PIER Board Members:** Olga Piro past PIER Chair and Eric Abutin past PIER Treasurer were acknowledged for their dedication, commitment and hard work as members of the PIER board. Thank you.
- C. **Introduction of Department of Homeland Security and U.S. Department of State guests:**

Fernando Carvajal – Supervisory Special Agent for U.S. Immigration and Customs Enforcement (ICE)

Vernon Duncan – Field Officer Director for U.S. Citizenship & Immigration Services (CIS)

Sally Carrillo– Assistant Customs and Border Protection (CBP) Port Director for San Diego

Sandra Raynes – U.S. Consulate Non-Immigrant Visa Chief for the Department of State at the U.S. Consulate in Tijuana, Mexico

D. **Introduction of 2007 – 2008 PIER Board:**

- a. Melissa Diaz – Chair
- b. Karla Marcias – Co-Chair
- c. Hao Nguyen – Membership
- d. Mike Dietz – Webmaster
- e. Richard Yen – Treasurer
- f. Kasey McCarthy – Secretary

E. **Traditional Introduction of PIER Members**

F. **PIER Announcements:**

NAFSA Travel Grants:

The Travel Grant Application and Guidelines have been updated on the PIER website. Please visit: http://piergroup.org/grant_nafsa07.htm

- PIER Travel Grant Deadline is Friday October 19, 2007 at 5:00 p.m.
- Two travel grants will be awarded for the Region XII NAFSA Conference to be held in San Francisco!
- The conference will take place November 5 through November 8, 2007 at the Hyatt Regency at Embarcadero.

- Registration for the Region XII conference has begun. Check out the main details on their website: <http://www.region12.nafsa.org/r12conferences.htm> and start thinking about applying for a travel grant.

REMINDERS:

Meeting Locations:

- ✓ We need volunteer hosts for our November 14th, meeting.
- ✓ This is your opportunity to showcase your schools by hosting a meeting.
- ✓ You should have a meeting room large enough for at least 40 people and adequate parking available.
- ✓ Please contact info@piergroup.org if you're interested in hosting a meeting.
- ✓ PIER needs you!

Membership:

- ✓ Currently 71 paid PIER members. In 2006-2007 101 PIER paid members.
- ✓ Opportunity to enroll in PIER was given at this meeting.
- ✓ Access the PIER Membership Form by visiting: www.piergroup.org
- ✓ Please mail form with PIER dues to Hao Nguyen.
- ✓ Membership application and fees are due by December 1, 2007 to avoid paying the late fee.

Meeting Time:

- ✓ We have changed the meeting start time to **2:00pm** to allow ample travel time to the meeting locations.

Meeting Schedule:

- ✓ Wednesday, November 14, 2007 @ 2:00pm
 - We still need of a host for this meeting!
- ✓ Wednesday, January 16, 2008 @ 2:00pm at University of San Diego
 - Thank you Maria Malloy.
- ✓ Wednesday, March 19, 2008 @ 2:00pm at American Language Institute – SDSU
 - Thank you Mike Dietz.
- ✓ Wednesday, June 18, 2008 @ 2:00pm at National University
 - Thank you Eric Abutin.

Important Dates:

- ✓ Friday, February 29, 2008 – New Professionals Workshop
- ✓ April 2008 – PIER membership event TBA

PIER Accounts:

- ✓ Currently \$939.24 in checking and \$36.70 in savings as of today.

Mentor Program:

- ✓ Karla Marcias encouraged experienced PIER members to be a mentor to new professionals in the field.
- ✓ Placements will be decided before the next PIER meeting in November

PIER Meeting Topics:

- ✓ A PIER Survey was sent to all members and distributed at this meeting.
- ✓ Please feel in this survey to help PIER better serve member's needs.
- ✓ The PIER survey can be downloaded from the PIER website and either emailed or faxed to Kasey McCarthy.

PIER Website:

- ✓ Mike Dietz is currently working on updating the PIER website.
- ✓ Future changes will be a member login with a members only section, membership list search option and an overhaul of the layout and design.

PIER Email:

- ✓ PIER now has a new general email: info@piergroup.org
- ✓ Please use this email regarding any correspondence with PIER.
- ✓ This email is checked twice a week.

U.S. Department of Homeland Security Questions and Answers

CBP

Announcements:

- **Sally Carillo will work closely with PIER to answer any CBP questions concerning international students and scholars.**
- **Sally Carrillo Email sally.carillo@dhs.gov**
- **Questions can be submitted directly to her.**
- **Whenever a student has difficulty at the U.S. Port of Entry or questions the actions of a CBP Officer, they should ask to speak to the CBP Supervisor.**
- **Anyone entering a U.S. Port of Entry has the right to speak to the CBP Supervisor.**
- **If a supervisor is not available, ask to speak to a CBP Watch Commander.**
- **They should not leave until they have spoken to either a CBP Supervisor or CBP Watch Commander.**

CBP Questions:

Question 1:

In #2.E of ICE's "FAQ for F-1 Travel and Reentry" (http://www.ice.gov/sevis/travel/faq_f2.htm#_Toc81222012), it states that automatic revalidation of visas is still in effect provided the student has a "valid SEVIS I-20" and I-94.

It does not specify that the I-20 must have a current CBP “stamp” on the right hand corner. Recently, students going to Mexico for less than 30 days who are on OPT with expired visas have been sent to secondary inspection and given a hard time because their I-20 didn’t have a stamp. They were told their I-20’s are “invalid” and therefore automatic revalidation is not an option for them. However, as we know, students get new I-20’s when they apply for OPT, or transfer schools, or extend their program, and those I-20’s are valid, regardless of whether or not they have a port of entry “stamp.” One student was told by the officer that if she had been carrying her old I-20 with the stamp, she wouldn’t have a problem (although that I-20 was expired!).

Can CBP/ICE confirm if in fact it’s true that students with expired visas are not eligible for automatic revalidation if their I-20 doesn’t have a CBP stamp, even if that I-20 is valid, as in the case of someone on OPT? And if this is the case, can they refer us to written guidance on that so that we can properly inform everyone.

Answer: This is a CBP training issue. If the CBP Officer will give a new stamp, they usually take the old I-94 and issue the student a new one. There is usually a \$6.00 fee for the I-94. Automatic visa revalidation is available.

*When traveling a student should carry all I-20’s relevant to their current SEVIS ID number to decrease the possibility of difficulty at the U.S. Port of Entry.

Question 2:

What is the update on regulations and guidelines for F-3 students?

Answer:

CBP is currently admitting these students. Please see the U.S. State Department questions/answers for additional information.

Question 3:

What is the process to declare currency of more than \$10,000 at the border when exiting the United States? (According to Our immigration lawyer, for visa application fees they need to bring in a lot of money.)

Answer:

The answer below is from the CBP website at www.cbp.gov which Officer Carrillo referred to.

It is legal to transport any amount of currency or other monetary instruments into or out of the United States. However, if you transport, attempt to transport, or cause to be transported (including by mail or other means) currency or other monetary instruments in an aggregate amount exceeding \$10,000 (or its foreign equivalent) at one time from the United States to any foreign country, or into the United States from any foreign country, you must file a report with U.S. Customs and Border Protection. This report is called the Report of International Transportation of Currency or Monetary Instruments, FinCEN Form 105. Furthermore, if you receive in the United States, currency or other monetary instruments in an aggregate amount exceeding \$10,000 (or its foreign equivalent) at one time, which has been transported, mailed, or shipped to you from any foreign place, you must also file a FinCEN Form 105. This form can be obtained at all U.S. ports of entry and departure or on the Web at http://www.fincen.gov/fin105_cmir.pdf.

Monetary instruments include:

- 1) U.S. or foreign coins and currency;
- 2) Traveler checks in any form;
- 3) Negotiable instruments (including checks, promissory notes, and money orders) that are either in bearer form, endorsed without restriction, made out to a fictitious payee, or otherwise in a form that the funds can be transferred to another person;
- 4) Incomplete instruments (including checks, promissory notes, and money orders) signed, but with the payee's name omitted; and
- 5) Securities or stock in bearer form or otherwise in a form that the funds can be transferred to another person.

However, the term "monetary instruments" does not include:

- 1) Checks or money orders made payable to the order of a named person which have not been endorsed or which bear restrictive endorsements;
- 2) Warehouse receipts; or
- 3) Bills of lading.

Reporting is required under the Currency and Foreign Transaction Reporting Act (PL 97-258, 31 U.S.C. 5311, et seq.), as amended. Failure to comply can result in civil and criminal penalties and may lead to forfeiture of your monetary instrument(s).

Question 4:

Can students bypass the regular POE line and go directly to secondary when walking across the border?

Answer:

Yes, the student would go directly to the "Old Port" just past the security check point when crossing into Mexico. Tell the security officer that you need to go to CBP secondary inspection. The building is just past the U.S. Mexican border on the right side. It is an older building with four flags in front.

If driving across the border, the CBP Officer will automatically send the person to secondary inspection.

Question 5:

What is the location of the CBP Office on the U.S. side of the Mexican border in San Ysidro?

Answer:

There is a CBP Office located in the building to the right of the "U Turn to USA" sign.

Question 6:

How can someone register their car with CBP if it was not registered when they entered the United States from Canada/Mexico?

Answer:

There are two choices: One – go to the location listed above at the CBP POE at the San Ysidro border crossing on the U.S. side. Two – go to the CBP P.O.E. seaport office at the Cruise Ship Terminal located on Harbor Drive & B Street. Do not go on the day a cruise ship is in port. Park in front of the glass double doors and wait for a CBP Officer to come out.

San Diego CBP Port Office number 619-557-5370 – listen to recording

U.S. Citizenship & Immigration Services (CIS)

Announcements:

- EAD are no longer issued at the CIS Application Support Centers (ASC). If a student makes an appointment through *Infopass* on the CIS website, the CIS Officer at the ASC can give only general information. The student should contact CIS through the 800 number 1-800-375-5283 if their application for an EAD is pending longer than 90 days from the receipt date.

CIS Questions:

Question 1:

What is the process for EAD cards for I-485 cases pending Security Clearances at the District Office?

Answer:

This question has been sent to CIS and will be answered at a later date.

U.S. Department of State

Announcements:

- The U.S. Consulate in Tijuana is now located in Zona Rio near the Abe Lincoln statue.
- Sandra Raynes contact information: rayness@state.gov Phone number: 0011-52-664-634-3045 x 225
- Currently third country nationals (TCN's) are allowed to apply for a visa renewal. Student can come before their current visa expires or after. Be prepared with all documents for visa issuance as required for initial issuance.
- If clearance was required, the clearance is valid for one year, so applicant should have visa interview before the one year clearance expires.
- Wait time for TCN is early November.

U.S. Department of State Questions:

Question 1:

What is the status of the F-3 visa?

Answer:

The F-3 visa is currently being issued. The regulations pertaining to 75 mile radius have been lifted and it is no longer required.

U.S. Immigration and Customs Enforcement (ICE)

ICE

Announcements:

- ICE requests that DSO's contact them in regards to anything that may be out of the ordinary.
- If you notice a trend with a particular country, person or group and do not feel comfortable about the situation, ICE would like you to contact them directly.

ICE Questions>:

Question 1:

When does a student need to start at the transfer in school?

ICE was not familiar with this student issue. The information below is from the ICE website at http://www.ice.gov/sevis/f_1_transfers.htm#_Toc174419533 under "FAQ's" and then "Transfers for F-1 Students".

A student with an *Active* SEVIS record asks, "How long can I wait between ending classes at my transfer-out school and starting classes at my transfer-in school?"

This depends on the student's circumstances. The transfer-out school controls the student's SEVIS record until the transfer release date. [8 CFR 214.2(f)(8)(ii)(C)] If classes are in session, he or she must attend classes and otherwise maintain status until the transfer release date.

On the transfer release date, the transfer-in school controls the student's SEVIS record. He or she must begin classes at the transfer-in school at the next available term, unless taking an authorized break or vacation during that term.

If the next available term does not start within five months of the last date of school attendance or program completion date at the transfer-out school (whichever is earlier), the student must depart the United States until he or she can begin the new program. This will not be handled as a transfer. The student will get a new SEVIS record and the school will send the student an *Initial* attendance Form I-20. The student must then pay the SEVIS I-901 fee and apply for a new F-1 visa.

2.6. What do I tell a new initial student who is transferring that asks, “How long can I wait before attending classes at my new school?”

New initial students can transfer only if they have a program start date within 30 days of arrival in the United States. See the [question above on transferring initial students](#).

The following question was answered by ICE, CIS and DOS:

1. Students pay our high tuition, etc., obtain our I-20, come into the country, and attend for a semester or so
2. During that time, their whole family arrives (with multiple other minor children) on a visitor's visa.
3. The mother obtains an F-1 from an adult school (with minimal tuition) but is not granted any F-2 dependents on her I-20 by that school.
4. The mother somehow gets the original students (at our school) changed to F-2, withdraws the students from our school, and enrolls them plus the other kids in one of the “best” public schools.

This has now happened 3 times in the last year—with a minimum of six students from our school -- plus all the other younger children brought over with the moms -- now going to public schools (all under the mom's F-1 visa.) Is there any advice from DHS?

ICE Response: If this is a trend, please contact ICE.

DOS Response: When the visa is issued, if it is not revealed that the applicant is attempting this, then there is not way to determine that the applicant is not eligible. If the U.S. Consulate notices a trend, then these cases will be reviewed.

CIS Response: Before the change of visa status can be adjudicated for F-1 to F-2 applicants, the F-1 must prove that she can support the dependents while in the United States and prove that she will return home.

Meeting adjourned at 12:15 p.m.