Tour given by:
Deputy Chief Brian Roe, NYC-JFK/Passenger Operations
Officer Donald O'Shea, NYC-JFK/Passenger Operations

Q1, Does TRIP still work?

A1, Yes, it works and is recommended to be used when a student is held up at the POE due to an old completed record.

Q2, What is the officers at POE seeing when they tell a student to go back to their school to "fix" their record, when in actuality the record is auto-completed by SEVIS and the record was not problematic? Can the officer see the status of the record? What is CBP's access to the SEVIS record?

A2, At Primary Inspection, officers will see that a record is not active but they will not see the reason for the termination. In the CBP officers' term, the record has been "red flagged." At Secondary Inspection, the officer will reach out to the school to verify the student status because CBP only has 'look only' access to SEVIS. Officers do not see a lot of comments in SEVIS. They just see the terminated and active SEVIS records.

If the individual is entering on a new SEVIS number and has a previously terminated record it is recommended that the student brings a letter from the school with explanation of situation. Because the officers at primary inspection only have limited access to SEVIS and primary inspection requires a quick turnaround, the student will probably be sent to secondary inspection for review. The letter may or may not help but the officer will look at the student's entire travel history, and will look at why the previous record was terminated. An explanation letter will not hurt.

Q3, If the student is entering the US as a tourist but has a previous auto-completed SEVIS record why is the student flagged at the POE?

A3, Primary Inspection only sees that a SEVIS number is no longer valid. They do not know why. They therefore will probably send the individual to Secondary. At Primary there is not much time to interview each individual, and therefore, if the person's status/document is in question the officers will send him/her to Secondary.

Q4, How are electronic I-94 records fixed at Deferred Inspection?

A4, The officer can manually correct the record at Deferred Inspection. Limited cases can be fixed over the phone.

Q5, Are Global Entry I-94s entered online? Do they get a stamp? What can they use for SSN applications, etc. which require an I-94? And how does the student show proof of status?

A5, Call the Deferred Inspection Unit, and they can do a "stand alone" I-94 for the individual.

Q6, If a student has an expired F-1 entry visa and is travelling to Mexico or Canada for less than 30 days how will these students be processed at the POE under automatic revalidation? Will their electronic I-94 record be updated to show the most recent entry? What would they need to show on future trips upon their return from Mexico and/or Canada? Is the entry stamp in the passport sufficient?

A6, It is recommended that the individual ask for an I-94 and stamp in passport. The student will not find the I-94 online. Students are supposed to receive a new I-94 upon reentry in this situation. CBP-JFK is aware that this is a problem and is looking into it.

If the student is leaving by air, the flight manifest will show that s/he has exited however they must obtain a new I-94. If leaving by bus, then it is recommended that the student bring the I-94 in the print-out form.

Q7, How are TNs processed through JFK?

A7, JFK sees very few TNs. Secondary Inspection officers typically know more on this. Because officers have to collect the visa fee, the TN applicant will be sent to Secondary. There is nothing written in the regulations stating how early a TN applicant may enter.

Q8, H1Bs can enter 10 days before the start date. What about 11 days?

A8, Admissions and entries are looked at on a case by case basis. At the POE, officers are looking at egregious overstays. CBP does understand that sometimes someone coming to the U.S. for the first time will need to look for apartments and etc. before starting his or her job.

Q9, When a student comes in with a terminated record. How should advisors deal with the situation?

A9, Advisors should advise the student to leave the U.S. Additionally the student could go to Deferred Inspection and have his/her record checked. There was a systemic problem a while back where these issues were not transmitted to CBP's system, but this issue has been resolved and the terminated record is now seen in the CBP database. The lag time for transmission is now pretty quick.

Q10, There has been problem with reactivating a SEVIS record after a LOA due to SEVP contractor change at the helpdesk. If SEVIS did not update in time and the student travelled back to the U.S. is there something an adviser can do to explain that the student's

record will reactivate pending SEVP backlog, such as providing a letter for their return?

A10, A letter can help however the student may be deferred entry for 30 days. The CBP officers may try to reach out to the school but if they can't get ahold of the school they may hold the person overnight because CBP has a liability. If the student enters on a Friday, the student may be turned back if the CBP officer cannot get a hold of an advisor because CBP cannot hold a student over the weekend at the airport.

Contact Information for JFK Deferred Inspection:

- U.S. Customs and Border Protection
  Deferred Inspections Unit America Airlines – Terminal Eight
  1st Floor Arrivals Area – Room 11-161
  JFK International Airport
  Jamaica, NY 11430
  9:00am-2:00pm M-R
  (718)553-5499
  (718)553-2919
  Fax: (718)553-0228

Additional Notes:

- Approximately 95,000 students come through JFK.
- 13 million passengers came through JFK last year. Out of this number approximately 3,400 are refused entry.
- 1,500 officers at JFK.
- No person is removed from the U.S. without at least 3 officers looking at the case work.
- Any POE can correct another POE's I-94s.
- Electronic I-94s should be based on the machine readable strip of the passport. However, the airline manifest is what is supplied to the POE and then the officer will swipe the passport. If there is a slight discrepancy the POE officer can manually modify the information. The visa could be used for verification but it is typically the last document to be used. There is a 25 character max.