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United States – New Agreement with China Extends Visas for Business Travelers

by KPMG Law LLP – Tax + Immigration, Canada (KPMG Law in Canada is a KPMG International member firm)

On November 12, 2014, the United States and the People's Republic of China reciprocally increased the validity of short-term business and tourist visas and student and exchange visas issued to each other's citizens.¹ According to the White House press release, "Both countries have agreed to increase the validity of short-term tourist and business visas issued to each other's citizens from one to ten years – the longest validity possible under U.S. law."²

Why This Matters

Generally speaking, this arrangement will improve trade, investment, and business ties by facilitating travel and offering easier access to both countries' economies, according to the White House press release. In addition, the extended validity visas for students and exchange visitors will facilitate travel for students who attend U.S. institutions of higher education.

The longer visa for U.S. and Chinese nationals engaged in business in each other's country should be welcome news. This means less stress and less time concerning reapplying for renewals or new visas and more time for the business-person to focus on the purpose of his or her trip/assignment. It also means less administration for the company's immigration professionals and/or global mobility managers.

The new rules aim to help foster smoother cross-border flows for students and exchange visitors with easier departure from the country and re-entry during their academic/research and exchange programs.

Chinese business applicants (B-category) may now be issued multiple-entry visas for up to 10 years for business and tourist travel. Qualified Chinese students and exchange visitor applicants (F, M, or J-category visas) are now eligible for multiple-entry visas valid for up to five years or the length of their program.³

U.S. citizens eligible for Chinese short-term business and tourist visas also receive multiple-entry visas valid for up to 10 years, while qualified U.S. students may receive student residency permits valid up to five years, depending on the length of their educational program.

Prior to this agreement, U.S. and Chinese citizens in those categories had to apply and pay the application fee yearly.

There are no changes to the standards of eligibility for the U.S. visa categories; the same eligibility criteria will apply as before this extension in validity. There are also no changes to the applicable fees for applying for the visa categories.

Please note, visa validity is not the same as the allowed duration of stay. The current change in visa validity does not change the permitted duration of stay for any visa class.⁴ This extension does NOT increase the validity of visas already issued. To obtain a visa with extended validity, holders of valid or recently-expired visas will need to apply again.⁵

Footnotes:

1 U.S. Department of State, "The United States and China To Extend Visas for Short-term Business Travelers, Tourists, and Students" (online). See: <http://www.state.gov/r/pa/prs/ps/2014/11/233904.htm>. Also see: "FACT SHEET: Supporting American Job Growth And Strengthening Ties By Extending U.S./China Visa Validity for Tourists, Business Travelers, and Students," (November 10, 2014) on the White House Web site at: <http://www.whitehouse.gov/the-press-office/2014/11/10/fact-sheet-supporting-american-job-growth-and-strengthening-ties-extendi> .

2 Ibid.

3 Ibid.

4 U.S. Department of State – Consular Affairs. "The United States and China Agree to Extending Visas for Short-term Business Travelers, Tourists, and Students" (online). See: <http://travel.state.gov/content/visas/english/general/us-china-agree-to-extend-visas.html> .

5 Ibid.

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