

Emigrant Support Groups warn of dangers of “overstaying” in the US

Two emigrant agencies have warned young Irish people planning to visit the States this summer to be aware of the dangers of staying longer than allowed. And they warned that, while immigrant advocates are still hoping for visa reform in the future, it is not likely that any deal would assist recently arrived migrants.

Crosscare Migrant Project and the Emigrant Advice Network (Éan) have said their contacts in the United States are regularly coming across young Irish looking for work there, without proper documentation.

“We have heard of a number of young Irish people going to the US on holiday who may be planning to stay longer than they are allowed”, said Paula Lally of Crosscare Migrant Project. Lally said that Irish organisations in the US are reporting that they are still seeing a number of young people walk in and make inquiries about jobs, even though they are not legally allowed to work.

Éan director Noreen Bowden said, “Some people may have heard about efforts toward visa reform, and they may be underestimating the dangers of a visa overstay in the hope that they may benefit from any impending deal. This is not likely. While immigrant advocates in the US are still hoping for immigration reform in the future, there is no guarantee, and all the efforts are being aimed at people who have been over in the US for a length of time.”

Both organisations outlined the dangers of overstaying a visa. “You may be arrested, detained indefinitely, and then deported,” says Lally. “US authorities are more vigilant than ever about checking documentation.” She continues: “If you entered on the visa waiver programme for a holiday, and you overstay and are caught, you have no right to an appeal.”

Irish organisations in the US also report that it is becoming more difficult for illegal immigrants in the US to obtain a Social Security Number, apply for a driver's licence or open a bank account.

Paula Lally said there were other long term implications for anyone found to violate visa regulations; “It’s not just the time in detention: the effects are long-lasting. US authorities will ban people who violate their visa and overstay from re-entering for three or ten years, depending on how long you have overstayed. But there is no guarantee that you will be allowed to go back to the US even after that time – you will need to reapply for a visa, and the authorities may refuse you.” She added that those on the J1 Summer Exchange Programme should ensure that they leave on time, and not overstay by even a day.

Crosscare Migrant Project advises anyone considering entering the US on the Visa Waiver Programme in order to work to reconsider their options, and look at applying for the correct visa that will entitle them to live and work legally in the US, such as the DV Lottery Visa or employer-sponsored visas.

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Notes for editors:

- 1) Crosscare is the social care agency of the Dublin Diocese
- 2) The Visa Waiver Programme allows Irish citizens to enter the US for a holiday or business for up to 90 days without having to obtain a visa
- 3) The J1 Summer Exchange Programme allows young Irish students to live and work in the US for up to 90 days.