

Russian physicist Nikolay Solyak is an expert on particle accelerators and helps to develop superconducting technology for a future International Linear Collider. He has been a Fermilab employee since 1999. When he left the United States in September 2003, a short trip abroad turned into a four-month odyssey, separating him from his work and family in the United States. His documents tell the story.

- a August 27, 2002:** The US Immigration and Naturalization Services notifies Fermilab of the approval of an H1-B status for Nikolay Solyak. The approval notice allows Solyak to continue working at Fermilab. The new status is valid for three years, the maximum duration. Should he or his family choose to travel outside the United States, they must obtain visas at a US embassy or consulate to return. In June 2003, Solyak's wife and 16-year-old son travel to Russia to visit relatives. Six weeks later they return with their new H4 visas. Solyak himself, who had to work over the summer, plans to get his new visa on an international business trip in the fall of 2003.

Notice of Action

U.S. DEPARTMENT OF JUSTICE
Immigration and Naturalization Service

RECEIVED DATE: June 19, 2002

WORKING DATE: August 27, 2002

JOB TITLE: F-1

CLASSIFICATION: H1B

REASON FOR APPROVAL: Approval Notice

CLASSIFICATION: Class: H1B
Valid from 05/01/2002 to 08/31/2005

APPROVAL: [Signature]

COMMENTS: [Text]



- b September 7, 2003:** Solyak travels via Amsterdam to Hamburg to attend a scientific meeting and to collaborate with researchers at the German particle physics laboratory DESY. He expects his one-month stay in Germany to be sufficient to obtain an H1-B visa. Solyak's family stays in the United States, with his son attending classes at a high school.

September 12, 2003: Solyak takes his passport and visa application, the H1-B status approval notice, and other documents to the Consular section of the US embassy in Berlin. The Visa Unit accepts Solyak's application but rejects hard copies of his curriculum vitae and his list of scientific publications. Fortunately, Solyak has computer access upon his return to Hamburg, and he produces and submits electronically the required plain text files the next day. He expects to obtain the visa in a couple of weeks.

September 25, 2003: Two weeks after presenting all his documents at the embassy, Solyak receives an email asking him for additional information, such as "Flight plans to and from the US" and "Are you a resident of Germany?" He immediately submits the information, all of which he was prepared to provide at his visit of the embassy in Berlin.

