



TIPS FOR INTERNATIONAL TRAVEL AND THE FORM I-9

Schedule U.S. Visa Appointments Abroad

Each year, as the peak summer travel season approaches, visa appointment wait times lengthen substantially at many Consulates and Embassies. Persons requiring a visa to enter the United States should plan to check visa appointment backlogs and contact the appropriate U.S. Consular post outside the U.S. to schedule appointments well in advance of the anticipated date of travel to the United States. We recommend applying for visas as far in advance as is possible during the early summer months to avoid the potential for increased delays in visa appointment availability and issuance.

Obtain the New Electronic I-94 Card

When returning to the U.S., foreign nationals are reminded that an I-94 Arrival/Departure card will not be issued for those arriving by air or sea. Paper I-94 cards will continue to be issued, however, for those foreign nationals arriving by land and where U.S. Customs and Border Protection (CBP) chooses to issue the I-9 paper cards. In order to obtain a copy of the electronic I-94 card, foreign nationals are required to print a copy of the form from the CBP website at www.cbp.gov/i94.

We encourage individuals to print their I-94 card as soon as possible to review it for accuracy and the expiration date of status in the U.S. CBP has recently confirmed, however, that the new electronic Form I-94 system has experienced technical difficulties, including delayed creation of the electronic Form I-94. When the system malfunctions, CBP may issue paper Form I-94 cards to beneficiaries or their immigration counsel. In order to request a paper form, the individual must present their unexpired foreign passport at a local CBP office, and FosterQuan can provide assistance if needed.

Completing the Form I-9 with the Electronic I-94 Card

For those individuals who have already completed a Form I-9 and the work authorization remains valid, work authorization should not be reverified for the Form I-9 when the foreign national returns to the U.S. and obtains a new I-94 card. However, if the foreign national or employer learns that the expiration date on the new I-94 card is different from what was previously indicated by U.S. Citizenship and Immigration Service, contact your FosterQuan counsel immediately.

In those situations where a Form I-9 is required, such as for newly hired employees, employers should remind new employees that Section 1 of the Form I-9 will need to be

completed by the first day of work. Some individuals will need the information from their Form I-94 Arrival/Departure record in order to complete Section 1 timely.

Section 2 of the Form I-9 must be completed by the third day of employment. The electronic Form I-94 printout is an acceptable List A document for the Form I-9, as is the traditional paper Form I-94 card.

As always, FosterQuan will continue to monitor regulations and procedures and will provide additional information in future Immigration Updates®, and on our firm's website at www.fosterquan.com.