

TRAVEL CHECKLIST

Rules to Follow for Every Admission to the United States

- ❑ **Employees:** When entering the United States, always present your current employer's Form I-797 (Approval Notice) to the CBP (U.S. Customs and Border Protection) officer along with your valid passport and nonimmigrant visa stamp (unless you are a visa-exempt Canadian citizen). If you also have a Form I-797 for an extension approved for a future period, present that as well; however, note that in this situation, you might only be admitted to the expiration of your current Form I-797 Approval Notice. If you hold H-1B status and have an H-1B transfer petition pending, you should also present the Form I-797 receipt for your new H-1B employer; however, note that in this situation, you will only be admitted to the expiration of your prior H-1B petition. **Dependents:** Present your spouse/parent's current Form I-797 approval notice, unless you have your own approval notice, and your visa (unless you are a visa-exempt Canadian).
- ❑ The CBP officer will create an electronic Form I-94 Arrival/Departure record for your entry upon admitting you into the U.S., which you can retrieve from the CBP website: <http://www.cbp.gov/i94>. In many cases, CBP will no longer physically stamp your passport nor issue you a paper Form I-94. If you desire issuance of a passport stamp and/or paper Form I-94, you must request to be referred to "secondary inspection." After you enter the U.S., retrieve your electronic I-94 record from the CBP website, and verify that you were admitted in the proper status and verify that the expiration date on your I-94 record is the same as the "valid to" date on your latest Form I-797 approval notice.
- ❑ After each entry into the U.S., provide Jackson & Hertogs with a copy of your new Form I-94, and visa stamp if you received a new one on this trip, for yourself and any applicable dependents. **NOTE:** You can only access your current I-94 record from the CBP website while you are in the U.S.; once you depart, your arrival/departure information will update, and the I-94 information for the current period of admission becomes unavailable.
- ❑ **If the Form I-797 and I-94 expiration dates are not the same, contact your Jackson & Hertogs attorney immediately** - this could either be a CBP error that must be corrected, or it could be an appropriate shortening of your authorized status in the U.S. (e.g., due to passport expiration date). Note that in some cases, CBP will add a 10-day grace period to the end validity date listed on the Form I-797. The grace period is not work-authorized.
- ❑ Your passport should be valid for at least six months beyond the expiration date shown on the Form I-797 (Approval Notice), both at the time that you apply for your visa at a U.S. Consulate/Embassy, and on the date of your admission to the U.S. For nationals of certain countries (including India, France, Germany, the U.K. and Japan), this requirement is modified to require passport validity until the expiration date on the Form I-797. For a complete list of countries see: https://fam.state.gov/FAM/09FAM/09FAM040309.html#M403_9_3_B.

NOTE: If your passport is valid for less than six months beyond your Form I-797 date when you apply to enter the U.S., the CBP officer may admit you only to your passport expiration date; if this occurs, your Form I-94 record will be limited to the shorter period of admission. This means your status will expire **before** the expiration date listed on the latest Form I-797. If you remain in the U.S. beyond the date listed on the I-94 record, you will overstay your authorized stay, and will be unlawfully present in the United States. It is important that you carefully review your I-94 record after every admission, and contact our office if the date the I-94 expires earlier than the I-797 date. **Periods of unlawful presence will result in cancellation of all valid visas in your passport, and depending on duration, can result in you being barred admission to the United States, and/or complications with future visa petitions.**
- ❑ Department of Homeland Security's (DHS) biometric entry tracking system applies to most foreign nationals with limited exceptions (e.g., Canadian visitors, children under the age of 14, and persons over the age of 79). Depending on the port of entry, foreign nationals may also be subject to exit tracking and/or Customs & Border Protection (CBP)'s Traveler Verification Service (TVS) facial comparison service.

TRAVEL CHECKLIST

U.S. Department of Justice
Immigration and Naturalization Service

Notice of Action

RECEIPT NUMBER		CASE TYPE
WAC-05-123-45678		I-129 PETITION FOR A NONIMMIGRANT WORKER
RECEIPT DATE	PRIORITY DATE	PETITIONER
August 10, 2023		Company X
NOTICE DATE	PAGE	BENEFICIARY
August 12, 2023	1 of 1	Hill, Benedette
ATTORNEY NAME JACKSON & HERTOGS RE: COMPANY X 909 MONTGOMERY STREET, SUITE 200 SAN FRANCISCO CA 94133		Notice Type: Approval Notice Class: H1B Valid from 09/11/23 to 09/11/26

The above petition and extension of stay have been approved. The status of the named foreign worker(s) in this classification is valid as indicated above. The foreign worker(s) can work for the petitioner, but only as detailed in the petition and for the period authorized. Any change in employment requires a new petition. Since this employment authorization stems from the filing of this petition, separate employment authorization documentation is not required. Please contact the IRS with any questions about tax withholding.

The petitioner or she should keep Form I-94 when departing the U.S. The left part is for his or her records. A person granted an extension of stay while in the U.S. must normally obtain a new visa before returning. The right part can be used in applying for the new visa if a visa is not required, he or she should present it, along with any other required documentation, when applying for reentry in this new classification at a port of entry or pre-flight inspection station. The petitioner may also file Form I-824, Application for Action on an Approved Application or Petition, with this office to request that we notify a consulate, port of entry, or pre-flight inspection office of this approval.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.



U.S. Customs and Border Protection

Securing America's Borders

Get I-94 Number

Admission (I-94) Number Retrieval

Admission (I-94) Record Number: 69000888062

Admit Until Date (MM/DD/YYYY): 09/11/2026

Details provided on Admission(I-94) form:

Family Name:	HILL
First (Given) Name:	BENEDETTE
Birth Date (MM/DD/YYYY):	05/05/1985
Passport Number:	P123123213
Passport Country of Issuance:	Antarctica
Date of Entry (MM/DD/YYYY):	09/18/2023
Class of Admission:	H-1B

1-94 Record

Please see the additional information on the back. You will be notified separately about any other cases you filed.
U.S. CITIZENSHIP & IMMIGRATION SVC
CALIFORNIA SERVICE CENTER
P. O. BOX 30111
LAGUNA NIGUEL CA 92607-0111
Customer Service Telephone: (800) 375-5283
Form I797A (Rev. 09/07/93)N

[illegible]

Visa Stamp

Detach This Half for Personal Records	123456789 10
Receipt # WAC-05-123-45678	Receipt Number WAC-05-123-45678
I-94# 123456789 10	Immigration and
NAME Hill, Benedette	Naturalization Service
CLASS H1B	I-94
VALID FROM 09/11/23 UNTIL 09/11/26	Departure Record
PETITIONER: Company X	Petitioner: c
1122 Example Lane	14. Family Name Hill
San Francisco, CA 94118	15. First (Given) Name Benedette
	17. Country of Citizenship United Kingdom

Obligation to Carry Evidence of Registration in the United States

Under U.S. immigration law, foreign nationals are required to carry evidence of “registration” at all times. Therefore, we suggest that you carry photo identification, your current valid I-94 record, and your valid I-797 at all times. This is especially advisable when you are traveling within the United States. If your I-94 record is expired but you have a pending request for extension of status, you should carry a copy of your Form I-797 receipt.

TRAVEL CHECKLIST

Automatic Revalidation

- ❑ For foreign nationals subject to the visa stamp requirement: under the “**automatic revalidation**” rule (AVR), if you are traveling only to Canada/Mexico for 30 days or less and will not apply for a new visa stamp at a U.S. Consulate/Embassy, you can opt to return to the U.S. using your current I-94 record even if you have an expired visa stamp. Note that Canadian citizens are generally exempt from the visa stamp requirement, such that their brief trips to Canada/Mexico generally do not fall under the AVR.
- ❑ The automatic revalidation rule for travel to/from contiguous territory (Canada/Mexico) only (and adjacent islands other than Cuba for those in F/J status) of 30 days or less extends the validity of an expired visa to the date of application for admission. In cases where DHS has approved change of status, the visa classification is also changed to the new status. This exception to the visa stamp requirement applies only if the foreign national has maintained and intends to resume nonimmigrant status, is applying for readmission within the authorized period of stay, holds a valid passport, does not require a waiver, has not applied for a new visa, and is not a national of a “State Sponsor of Terrorism” designated country.
- ❑ If you are returning to the U.S. under the automatic revalidation rule, print a copy of your latest I-94 record and keep it with your valid passport with expired visa and Form I-797, if applicable. You may also carry evidence of maintenance of nonimmigrant status (for example, a recent employment verification letter or recent paystubs). Lastly, you could also carry background information about automatic revalidation, as CBP officers have varying degrees of knowledge of this exception to the valid visa stamp requirement: https://help.cbp.gov/s/article/Article-1218?language=en_US