

**INSTRUCTIONS TO EMPLOYEES REGARDING INTERNATIONAL  
TRAVEL AFTER AN H-1B CHANGE OF EMPLOYER AND/OR AN  
H-1B OR L-1 EXTENSION PETITION HAS BEEN APPROVED**

Because of the complexity of U.S. immigration law applicable at the port-of-entry when an employment-related visa holder reenters the U.S., care must be taken to have the proper documents.

The first document to consider is your passport, particularly its expiration date. The port-of-entry officer will limit the validity period of your Form I-94 arrival-departure card to less than the otherwise permissible duration if your passport expires before that date. Therefore, you should extend your passport at the earliest time that the passport authority permits.

It is essential that you also monitor the passport expiration dates of your spouse and children.

The second document to consider is the visa stamp in your passport. A still-current visa is required in order to be readmitted to the U.S. If your visa has already expired or if your visa will expire before you return to the U.S., you must apply for and receive a new visa from a U.S. consulate. An appointment must be scheduled on the consulate's website. There will be several days before the consulate returns your passport with the new visa. You must plan accordingly; your interview at the consulate should be scheduled at the beginning of your international trip.

The third document to be considered is the Form I-797 approval notice issued by a USCIS Regional Service Center. That document should be stapled into your passport next to your visa so that you do not misplace it. Of course, you must monitor the expiration date of Form I-797, too.

There is a special rule regarding H-1B visas and the duration of the Form I-94 that is issued when one reenters the U.S. An individual with a still-valid H-1B visa annotated in the name of the previous employer can be readmitted to the U.S. with an I-797 approval notice from a new employer; the Form I-94 expiration date should be the expiration date of the Form I-797 and not the expiration date of the visa. In this scenario, the port-of-entry officer must be shown the Form I-797 approval notice so that he/she can issue a Form I-94 with the correct, longer duration.

While not required by the Customs and Border Protection (CBP) rules, it is advisable to always have a copy of your most recent payroll record in your possession in case you are asked to prove who your employer is.

The old paper Form I-94 was eliminated many years ago. You now can find your Form I-94 by accessing the CBP website at (<https://i94.cbp.dhs.gov/I94/#/home>). It is very important that you, and each member of your family who reentered the U.S. with you, immediately read your new I-94. In particular, you must check its expiration date. Sometimes port-of-entry errors can be corrected. You do not want to be in the crisis situation of discovering that your I-94 has already expired.

There are special rules for citizens of Canada. There is a special rule for international travel to Canada or Mexico of less than 30 days. This advisory does not apply to these situations.

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