

Immigration E-news

April 22, 2010

Issues for Foreign Nationals affected by the Icelandic Volcano Eruption

U.S. Customs and Border Protection ("CBP") has released an advisory for travelers whose status is about to expire but who cannot leave the United States due to flight cancellations related to the recent volcano eruption in Iceland: http://www.cbp.gov/xp/cgov/newsroom/advisories/iceland_volcano.xml

Persons who are admitted as visitors for business or pleasure without a visa under the Visa Waiver Program as signified by possession of a Green I-94 card issued to them upon their entrance in the U.S. are unable to file for extensions of their temporary stay in the U.S.

Butzel Long's Immigration practice group has received reports that some CBP offices throughout the U.S. are handling visitors for business or pleasure under the visa waiver program under a specific set of circumstances. No information has been provided yet as for the Michigan CBP office at the time of drafting this e-mail. It is important that should you or your company have issues with a business visitor who is unable to leave the U.S. due to the travel issues caused by the volcano eruption in Iceland that you contact immigration counsel to discuss your options.

All non-immigrant visitor travelers who are not VWP visitors should contact immigration counsel to work with the U.S. Citizenship and Immigration Services ("USCIS"), not CBP in preserving their U.S. immigration interests. USCIS is instructing all non-VWP non-immigrants to file forms I-539, at <http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnextoid=cab23e4d77d73210VgnVCM100000082ca60aRCRD&vgnnextchannel=cab23e4d77d73210VgnVCM100000082ca60aRCRD> or see <http://www.uscis.gov/portal/site/uscis> then go to "Alerts".

Please feel free to contact members of the Butzel Long Immigration Practice Group if you or someone you know is affected by this issue.

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