

The Jaffe Update

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A publication of Jaffe Raitt Heuer & Weiss

March 25, 2020

COVID-19 IMMIGRATION UPDATE Overstays caused by the pandemic

U.S. Customs and Border Protection (USCBP) will accommodate overstaying individuals who are unable to timely depart the U.S. as a result of coronavirus related issues. Acceptable reasons for overstaying may include canceled flights, exposure to the virus, or other health related issues.

Individuals who are going to overstay, involuntarily, can apply to any of the CBP's deferred inspection offices, of which there are more than 70 offices at airports around the U.S., for what is being called "satisfactory departure status". This lenient policy will also apply to foreign nationals who are on ESTA/visa waiver status as well as certain nonimmigrant work visas. It will permit the extension of up to 30 days past the actual required departure date.

Please consult one of our Immigration attorneys listed below if you believe that you may need to overstay your I-94 date as overstays can have significant future repercussions.

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