

Traveling in H-1B Status

H-1B Travel Document Checklist

- Valid I-797 Approval Notice for Yale University
- Copy of all supporting documents issued to you in [OISS Connect](#) [1] including the Beneficiary Copy of your petition (forms including the I-129 and the Labor Condition application, along with Support Letter and other petition documents)
- Copy of paystubs from Yale for the most recent three months
- If you were subject to the J-1/J-2 two-year home-residency requirement prior to obtaining H-1B, bring a copy of your Form I-612 Waiver Approval issued by USCIS.

International travel with H-1B status can be complicated. Below are some basic guidelines with which you should be familiar. However, it is recommended that you [check with your adviser](#) [2] before you travel if you have any questions about your situation, and review the [Travel section on this website](#) [3].

Please refer to the [Arriving in the U.S.: Immigration Inspection](#) [4] page for a full list of all documents.

Passports

All international scholars/employees and family members planning to depart from the U.S. and return after a temporary absence must have a valid passport in order to exit the U.S. The passport must also be valid for a minimum of six months into the future at the time of re-entry to the U.S. Some countries have an agreement with the U.S. that [automatically extends passport validity for 6 months](#) [5], for U.S. entry purposes only. Please make sure to review the information in the [Passport Expiration](#) section below.

Visas

Except for Canadian citizens, all international scholars/employees and family members will also need to have a valid H-1B/H-4 visa stamp in their passport issued by a U.S. embassy or consulate abroad. Visa stamps cannot be obtained or renewed inside the U.S.

The only exception to this is the limited pilot program that the Department of State is running for the renewal of **certain H-1B visas**. [You can find more information about this limited program on this page](#) [6]. The Department of State indicated that they plan to expand this program in the future and we will update our website as more information becomes available.

I-94 Record

H status holders are given a specific departure date on the I-94 and must depart the U.S. by this date. It is critical that you know and check this date upon every entry to the U.S. Check also an ink entry stamp with an annotation (the visa type and validity date) given in your passport upon entry. If the visa type and/or validity date do not match your H-1B approval notice, you must speak with your [OISS adviser](#) [7]. Please also see the [Passport Expiration](#) and [I-94 Validity](#) sections below.

[General Guidance for Traveling and Re-entering the U.S.](#) [8]

H-1B Travel Considerations

Change to H-1B Status

Scholars/employees are advised to **not** travel outside the U.S. during a pending change of status H-1B petition (e.g., those who are changing from an F-1/J-1/Other to H-1B), as international travel will complicate your work authorization eligibility/immigration status. If you have an unavoidable reason that requires you to leave the U.S., please consult with your [OISS adviser](#) [7] before making your travel plans.

Extension of H-1B Status

If you must travel outside the U.S. during the H-1B extension process, you should speak to your [OISS adviser](#) [7] as soon as possible **before** making your travel plans. Because your travel plans may affect your H-1B extension processing timing, you must coordinate closely with your OISS adviser.

- If you plan to return to the U.S. before the expiration of your current approved H-1B status and with a valid H-1B visa stamp, there may not be any difficulty.
- However, depending on when the H-1B extension petition is submitted to USCIS, your international travel plans may complicate your H-1B status; therefore it is highly recommended to travel with the extension approval. This may require [premium processing](#) [9].
- If you travel after the H-1B extension petition is approved but will return before the current H-1B petition expiration date, it is advisable to travel with both the current and new approval notices. If your H-1B visa stamp is valid on your reentry date, you may use it for admission.
- If you plan to leave the U.S. while the extension petition is still pending and your current H-1B status is expired, you cannot return to the U.S. until the extension petition is approved. The approval notice must be sent to you abroad. You also have to apply for a new H-1B visa stamp with a consulate or embassy before you can return to the U.S.
- After you have received the new H-1B extension approval notice, you may travel outside the U.S. once again. However, while outside the U.S., you will have to obtain a new H-1B visa stamp at a U.S. embassy or consulate. It is normally not possible to obtain visa stamps inside the U.S. and the only exception to this is the limited pilot program that the Department of State is running for the renewal of **certain H-1B visas**. [You can find more information about this limited program on this page](#) [6].

Changing H-1B Employer to Yale

If you have any plans to travel outside the U.S. during the portable H-1B (changing employer) process, you should speak to your [OISS adviser](#) [7] as soon as possible.

- If you plan to return to the U.S. before the expiration of your current approved H-1B petition with an old employer and with a valid H-1B visa stamp, there may not be any difficulty. However, if your return date to the U.S. is after your start date with Yale, you may have difficulty at a port of entry.
- Depending on when the portable petition is submitted to USCIS, your international travel plan may complicate your H-1B status with Yale; therefore it is highly recommended to travel with the portable H-1B approval. This may require [premium processing](#) [9].
- If you travel after the portable petition is approved and after your start date at Yale, you must travel with the new approval notice for the Yale appointment. If your H-1B visa stamp is valid on your reentry date, you may use it for admission, even if the visa stamp may have your old employer's name on it; however, make sure to present your Yale H-1B approval notice upon entry to obtain the correct H-1B status validity on your I-94. Check your [I-94 validity](#) [10] and an ink entry stamp given in your passport as soon as possible upon your entry.
- If you plan to leave the U.S. while the portable petition is still pending and your current H-1B petition with the old employer is expired, you cannot return to the U.S. until the portable petition is approved. The approval notice must be sent to you abroad. You will also have to apply for a new H-1B visa stamp with a consulate or embassy before you can return to the U.S.
- After you have received the portable H-1B approval notice, you may travel outside the U.S. once again. However, while outside the U.S., you will have to obtain a new H-1B visa stamp at a U.S. embassy or consulate. It is normally not possible to obtain visa stamps inside the U.S. and the only exception to this is the limited pilot program that the Department of State is running for the renewal of **certain H-1B visas**. [You](#)

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[can find more information about this limited program on this page](#) [6].

Passport Expiration

If you or your H-4 dependents are traveling with a passport that will expire before your H approval end date, you will be admitted to the U.S. only for the duration that your passport is valid. This means that your I-94 and legal stay in the U.S. will end earlier than your H-1B approval end date. You will be required to renew your passport and may need to travel outside the U.S. again to be admitted for the full duration of your H approval. If you are in H-1B status and do not travel, Yale will be required to file an H-1B extension on your behalf. H-4 dependents who do not travel will need to file an extension of their H-4 status. It is your responsibility to communicate any status issues to your [OISS adviser](#) [7].

I-94 Validity

Please pay extra attention to your most recent I-94 record and make sure that you will not inadvertently [lose H-1B status and work authorization](#) [11]. At the immigration officer's discretion, some H visa holders may be given a 10-day grace period reflecting on their I-94. The grace period is outside the approved H-1B petition period that allows you to work in the U.S. Do not confuse this with H-1B validity date mismatch and speak with your [OISS adviser](#) [7].

Source

URL: <https://oiss.yale.edu/immigration/h-1b-temporary-worker/maintaining-legal-status/traveling-in-h-1b-status>

Links

[1] <https://connect.oiss.yale.edu/> [2] <https://oiss.yale.edu/about/connect-with-oiss> [3] <https://oiss.yale.edu/travel-visas/for-scholars> [4] <https://oiss.yale.edu/travel-visas/for-scholars/traveling-to-the-us/arriving-in-the-us-immigration-inspection> [5] <http://www.ustraveldocs.com/ci/9-FAM-41.104-Exhibit-I.pdf> [6] <https://oiss.yale.edu/news/domestic-visa-renewals-to-resume-in-department-of-states-limited-pilot-program> [7] <https://oiss.yale.edu/about/contact-oiss> [8] <https://oiss.yale.edu/immigration/travel-guidance/traveling-and-re-entering-the-us> [9] <https://oiss.yale.edu/immigration/h-1b-temporary-worker/department-resources/h-1b-processing-time> [10] <https://oiss.yale.edu/travel/i-94-record> [11] <https://oiss.yale.edu/immigration/h-1b-temporary-worker/scholar-resources/maintaining-legal-status>