

International Travel During the H-1B CAP Process

Travel Decision Guide



DO NOT TRAVEL

Cap case filed (Filed → Pending → Approved before Oct 1)

- Travel can void change of status
- May force consular processing
- Can trigger delays and added costs

Typically: April–October (can extend to April)

TRAVEL STRONGLY DISCOURAGED

Selected, but not yet filed

- Can disrupt filing strategy
- Can force consular processing

Typically: April–May

TRAVEL MAY BE POSSIBLE

- Re-entry requires valid H-1B visa stamp
- Must maintain continued eligibility
- Re-entry subject to Consular Processing (Visa Stamping)

Typically: After Oct 1st, if H-1B fully approved

Consular Processing



Process typically involves:

- DS-160 and fee
- Consular interview
- 2–4+ weeks abroad
- Enhanced vetting



Important distinctions:

- USCIS approval = status (not entry)
- Visa stamp = entry (not status)
- An expired visa does not end status in the U.S.



In uncertain times, waiting is a strategy.

If You Must Travel



Before You Go

- ✓ Valid passport (6+ months)
- ✓ I-797 approval notice
- ✓ Recent pay statements
- ✓ Notify HR / Manager



Plan For

- 🕒 Backlogs
- 🕒 Adm processing
- 🕒 Questioning
- 🕒 Delays
- 🕒 Unexpected changes (policies, cancellations, restrictions)

This material is for general informational purposes only and does not constitute legal advice. Consult with a qualified immigration attorney for specific guidance.