

## Travel while an H-1B Petition is Pending

Whether or not you may travel internationally while your H-1B petition is pending depends on a variety of factors:

1. If our office filed a *change of status* petition for you:
  - You must not travel outside of the U.S. while the petition is pending. Leaving the country while USCIS is reviewing your petition will cause USCIS to consider your petition for a change of status to be abandoned. Your underlying H-1B petition may still be approved, but you would have to depart the U.S. and apply for an H-1B visa abroad to re-enter the U.S. in H-1B status before you could start your H-1B employment.
  - Once USCIS approves your change of status petition, you may travel internationally. Your H-1B status will take effect on the date that was requested.
  - While travel, as outlined above, is permissible, you may encounter difficulties when re-entering the U.S. or when applying for a visa for your current status. Therefore, we recommend that you do not travel internationally from the moment your department starts the H-1B process with our office until your H-1B status takes effect.
2. Traveling while an *extension of status* petition is pending with USCIS is permissible.
  - Please note that you must be in the U.S. when the H-1B petition is filed with USCIS.
  - You must alert the International Center of any travel plans while your H-1B extension is pending with USCIS.
  - If the extension is approved while you are abroad, you must re-enter the US using that Approval Notice. This means the documents may need to be sent to you while abroad.
    - If you re-entered the US on the basis of your old Approval Notice, you would only be admitted until the expiration date of the old H-1B Approval Notice and you would likely have to travel again to have this corrected.
3. If your H-1B extension is pending with USCIS and your current H-1B status has expired, you must not travel internationally because you will need a valid H-1B approval and visa to re-enter the country.
  - If you must travel while your extension is pending and your H-1B status has expired, you will need to remain outside of the U.S. until your H-1B petition is approved. Your case may be converted to premium processing to accelerate the adjudication process.
1. If you are changing employers, you may travel while the U-M H-1B petition is pending. However, travel during this period is not recommended as you will need a valid H-1B Approval Notice and visa to re-enter the US. If you have a valid H-1B approval from your previous employer you may use that in conjunction with your U-M H-1B petition and Receipt Notice. Should your previous employer have withdrawn its H-1B petition - which is likely - you cannot use your previous H-1B approval. **Therefore, it is strongly recommended that you do not travel internationally during this period as you**

**may not be able to return until your U-M H-1B petition has been approved.**

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**Source URL:** <https://internationalcenter.umich.edu/fsis/travel-while-h1b-petition-pending>