

H-1B Travel Regulations

When leaving the U.S. temporarily during your affiliation with Bard, you will need to have the necessary documents to both permit entry to another country as well as to permit re-entry to the U.S. in the appropriate status. For travel to a country other than the home country, individuals should check with the consulates of the country they wish to visit for specific entry requirements. A list of consulates in Manhattan can be found at <http://www.citidex.com/252.htm>. You should check the US Consulates abroad website, <http://www.usembassy.gov/>, before you go to determine the current procedures in place for obtaining a visa. Recent regulations have caused considerable changes to these procedures.

If you wish to travel outside the U.S. and return to the U. S. during your approved appointment period, you must:

1. **Carry a passport that will be valid for at least 6 months into the future from the day you return.**
2. **Have a valid H-1 entry visa stamp in your passport (unless you are a Canadian citizen).**
If you do not have an H-1 visa, you must obtain it at the U. S. consulate in the country you are visiting. If you have ever stayed in the U. S. beyond the date of your authorized permission to stay, you may not be able to obtain a visa in any country other than your country of citizenship or permanent residence. If you believe this restriction applies to you, please consult the responsible officer before leaving the country.
3. **There are a number of factors that may contribute to delays in having a visa issued to enter the United States.** Heightened security measures instituted since September 11, 2001 have resulted in delays in visa issuance abroad. Security checks for those whose field of research or study is deemed to be "sensitive", interview requirements for almost all non-immigrant visa applicants. The links to individual consular posts at <http://www.usembassy.gov/> may be good sources of current information. For more detailed information, refer to "Potential Delays In Visa Issuance", which is also available on the Bard payroll website.
4. **Carry the original Form I-797 which shows your H-1 approval for Bard College. If you do not have it, please request it from the responsible officer.** Do not give the original I-797 to the Consulate when applying for a visa. Bring the original to present to the consular officer but leave only a copy of the I-797 with your application. You may need the original I-797 in the future and it is extremely difficult to replace.

5. **Have a letter from your department that confirms your salary and employment dates.**
6. **Have your I-94 card with you when you leave.**
The I-94 card will be taken from you upon departure from the U. S. and you will receive a new one upon your return.
7. **Have your Labor Condition Application.** Normally you are not asked for this but bring it in case an immigration officer requests it. The Labor Condition Application was given to you when you received the approval notice.

If you do not have a valid H-1 visa (and are not a Canadian citizen), you will need to apply for a visa at a U. S. Consulate overseas. You will need items 1,4, & 5 above. If you have ever stayed beyond the date allowed in the U. S., you may be required to go to your country of citizenship or permanent residence in order to obtain a visa for the U. S. Do not give the original I-797 to the Consulate when applying for a visa. Bring the original to present to the consular officer but leave only a copy of the I-797 with your application. You may need the original I-797 in the future and it is extremely difficult to replace.

Dependents in H-4 Status - It may be difficult for H-4 dependents to obtain an entry visa if the H-1 holder has not yet obtained an H-1 entry visa. Check with your Consulate where the application will be made to determine whether the H-4 visa can be issued. If you are traveling with your dependents, be certain to carry all items listed above; your dependents must carry valid passports with valid H-4 visa stamps. If your dependents will be traveling alone, they must carry the original form I-797 and employment letter in addition to passports with a valid H-4 visa stamp. Please note that your dependents in H-4 status cannot be issued an H-4 visa if you do not have an H-1 visa in your passport. If you made a change of status application in the U.S. and have not traveled abroad to obtain the H-1 visa, your dependents are not eligible for H-4 visas at a U.S. consulate.

Travel to Canada or Mexico

Note: Nationals of Syria, Iran, Iraq, Sudan, North Korea, or Libya do not qualify for this privilege. You are required to present all documents described above, including a valid visa for your current immigration status.)

If you are traveling only to Canada or Mexico for fewer than thirty days, you will not need to obtain a new visa stamp to return to the U.S. To qualify for this privilege, you must:

1. Be in lawful H-1 status
2. Have an unexpired I-94 card with you (do not surrender it when you leave the U.S.)
3. Have a passport valid at least six months into the future on the day you return

4. Travel only to one of the destinations above and for fewer than 30 days. For example, you cannot use revalidation to enter Canada, depart to another country, return to Canada and then return to the US within 30 days.
5. Must **not** apply for a visa while in Canada or Mexico.
If you apply for a visa while in Canada or Mexico, you must wait for it to be issued before you return. If your visa application is denied, you are not allowed to use "automatic revalidation" to return to the U.S. and must travel to your country of citizenship to apply for a new visa.
6. Have a current original I-797 Approval Notice in your possession
7. Have an H-1 entry visa (expired or valid) in your passport. If you have changed your non-immigrant status in the U.S., the entry visa may correspond to your previous non-immigrant status before the change was granted.
8. Have your Labor Condition Application. Normally you are not asked for this but bring it in case an immigration officer requests it. The Labor Condition Application was given to you when you received the approval notice.

Other Travel Matters

Canadian visas: At present, persons from many countries are required to obtain a Canadian entry visa when entering Canada from the U. S. Visas may be obtained from the Canadian Consulate General, at 1251 Avenue of the Americas (at 50th Street., tel. 596-1600) between 8:00 and 10:00 am. Consult the Canadian Consulate General for visa regulations concerning your country before making travel arrangements. Website: http://geo.international.gc.ca/can-am/new_york/

Mexican visas: Tourists cards or visas may be required for travel to Mexico. Information is available from the [New York Consulate General of Mexico](#), 27 East 39 Street, telephone (212) 821-0313 or 821-0378.

Travel Within the United States

In general, no special permission is needed to travel within the continental U. S. However, we recommend you carry your passport and I-94 card when you travel any distance from home.