ARTICLES UPDATED: OCTOBER 20, 2025 PUBLISHED: JANUARY 24, 2025

Considerations for International Travel for Visa Holders

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Business Immigration and Global Mobility

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With the most recent changes in immigration policy and enforcement, we offer the following considerations for visa holders (F-1, H-1B, L-1, E-2, TN, and others) who are seeking to travel internationally.

Visa appointments: All employees who have been sponsored for a visa are required to have a valid visa stamp in their passport if they travel internationally and seek to return to the United States. The only exception is for those traveling to Mexico or Canada for less than 30 days under a provision called automatic visa revalidation. A visa stamp may only be obtained by making an appointment and visiting a U.S. embassy or consulate outside of the United States. Please keep in mind the following:

Elimination of visa interview waiver and dropbox appointments: The Department of State has limited and, in some cases, eliminated the ability to obtain a visa stamp by mailing in or dropping off your passport and relevant documents. As a result, almost all individuals needing a new visa stamp will need to appear in person for an interview at a U.S. embassy or consulate for their visa stamp.

Limiting of third-country national processing: The Department of State has clarified that those needing a visa stamp in their passport must apply at a U.S. embassy or consulate in their home country. Applications at U.S. embassies and consulates in countries other than one's country of nationality or citizenship has been restricted.

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Visa appointment wait times: Because of these changes, visa appointment availability may be more limited than it has in the past.

Continue to expect policy-changing executive orders to affect international travel. We have seen multiple travel bans and other hurdles put in place via executive order and presidential proclamation with little to no warning, making visas more challenging to obtain or creating more steps for those needing visas. Employees on visas who choose to travel internationally should be aware that their travel may be affected at any time.

Employers should update their policies regarding employees working internationally. Employees on visas may travel internationally fully intentioned on returning by a specific date, but due to unexpected circumstances, such as a new policy affecting international travel, may be unable to return on that date. Employers should have a consistent policy in place for employees asking to work abroad which considers situations where the employee is unable to return due to circumstances beyond their control.

For travel on an H-1B visa, see our Business Immigration and Global Mobility Resource Center for more information.

Recommendations for employees on employer-sponsored visas:

Employees should still notify the appropriate Human Resources representative or immigration contact at their employer well in advance of international travel to ensure they have the appropriate documents.
Employers should check with immigration counsel to ensure there are no additional steps that need to be taken in advance of travel.

Employees needing a new visa stamp in their passport should schedule their consular visa appointments no later than four months in advance of planned travel, preferably six to eight months in advance, if possible.
Employees should be prepared for their visa interview.
Employees should have a back-up travel plan in place should their passports not be returned within the normal timeframe (e.g., their visa stamping application is placed in administrative processing with an unknown date of resolution).

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Employees and employers should not rely on the 15-business-day premium processing timeline.

Requests for additional evidence on visa petitions may increase, meaning the timeline for approval may be extended for both new hires and for extensions for existing employees.

Premium processing is sometimes paused by USCIS at its discretion.

Husch Blackwell's Business Immigration and Global Mobility team offers a Resource Center with insights to help employers navigate the evolving immigration policy landscape.

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