

ARTICLES

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Service

Business
Immigration and
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Considerations for International Travel for Visa Holders

As the second Trump administration takes office, 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 appointment wait times at U.S. embassies and consulates abroad may get longer. This occurs in part due to the normal turnover that occurs when a new administration takes office and puts new leadership in place. This can also occur as a consequence of how a new administration decides to allocate resources (i.e., taking resources away from consular visa processing and putting those resources towards other Dept. of State priorities).

Expect policy-changing executive orders to affect international travel. Travel bans or other hurdles may be put in place via executive order, making it more challenging or creating more steps for those needing visas. For example, some visa stamping applicants are currently able to mail-in or drop off their visa stamping applications to U.S. embassies and consulates and avoid a consular interview. This policy could change in the future. Please follow Husch Blackwell's Business Immigration and Global Mobility Resource Center for updates on executive orders.

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.

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 the unavailability of mail-in or drop box visa stamping.

Employees should have a back-up travel plan in place should their passports not be returned within two weeks' time (e.g., their visa stamping application is placed in administrative processing with an unknown date of resolution).

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

Requests for additional evidence on H-1B petitions may increase, meaning the timeline for approval may be extended for both new hires and 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.