

H-1B REQUEST TO RECAPTURE TIME

As a general principle, days spent outside of the United States during the validity period of an H-1B petition will not be counted toward the 6-year maximum period of stay in the United States in H-1B status. When a beneficiary applies for an extension of stay, days spent outside the United States can be "recaptured and added back to his or her total maximum period of stay," provided those absences are properly documented.

"Any trip of at least one 24-hour day outside the U.S. for any purpose, personal or business, can be recaptured." [Source: USCIS memo by Michael Aytes (October 21, 2005) and USCIS Adjudicator's Field Manual § 31.3(g)(9) and 31.3(g)(14).] Detailed documentation that independently corroborates the time spent outside the United States must be presented when filing an I-129 petition that claims recapture time.

In the **Passport and Other Documents** field, enter the passport number & passport page where an entry or exit stamp has been placed by an official at a port of entry. If providing alternative evidence, list the type of evidence in the **Passport and Other Documents** field (e.g. I-94 card, plane ticket stubs, trip itinerary confirmation). Attach copies of the travel evidence, labeled with corresponding trip numbers [Column 1], to this worksheet for submission to USCIS with your H1B petition.

Trip Number	Date of Departure from U.S.	Date of Re-entry to U.S.	Passport and/or other documents to support dates of absence	Number of days physically outside of the U.S.
1				
2				
3				
4				
5				
6				

7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
[You may reuse page 2 for additional travel information]				Total number of days outside of the US