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Erroneously Given Longer Duration On H-1B Than Eligible

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[1]

Submitted by Chief Editor on Dec 19th 2017

I'm completing 6 years on H1B on 14-Jan-2018 and I have a visa stamped with the same date from my previous employer on my passport. When I changed job on 24-Jan-2017 I received an approved I-797 with an expiry date of 14-Mar-2019. I'm not sure if there was an error from the employer or attorney while filing or while approving the application. Now I have an approved I-797 with an additional year which would mean 7 years on H1B at a stretch. I'm planning to visit India with my wife (on H4 visa) next month for a couple of weeks and return back before the visa expires on my passport. Also, I'm thinking of not getting the new visa stamped on my passport and just show the approved I-797 to the officer while entering the US. Do you see any problem or issues if I do this?

ANSWER:

Watch the Video on this FAQ: Erroneously given longer duration on H-1B than eligible [2]

Video Transcript

You are not allowed to take advantage of USCIS errors. More... [2]

Note: This is a verbatim transcript of the referenced audio/video media delivered as oral communication, and, therefore, may not conform to written grammatical or syntactical form.

Nonimmigrant Visas:

H-4 EAD [3]

H-1 Visa [4]

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FAQ Transcript:

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Unless the context shows otherwise, all answers here were provided by [Rajiv](#) [6] and were compiled and reported by our editorial team from comments and blog on [immigration.com](#) [7]

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Links:

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