

Domestic Visa Renewal to Start with H-1B Pilot Program in 2024

From January 29, 2024, through April 1, 2024, the U.S. State Department (DOS) will run a pilot program for processing visa stamp renewals in the United States, thus eliminating the need for visa holders already living and working in the United States to travel to a consulate abroad for visa renewal. This pilot program will be limited to the H-1B category, but DOS hopes to offer stateside visa renewal to more categories of foreign workers in the U.S. by the end of 2024. Participation in the H-1B pilot program will be voluntary. The eligibility criteria and application procedures are as follows:



Who is Eligible: Principal H-1B applicants (no H-4 dependents) who(se):

- Are seeking to renew an H-1B visa during the pilot phase;
- Are renewing a prior H-1B visa issued in Canada with an issuance date from 1/1/2020 through 4/1/2023 or issued in India with an issuance date from 2/1/2021 through 9/30/2021
- Have an approved and unexpired H-1B petition, were most recently admitted to the U.S. in H-1B status, and are maintaining H-1B status in the U.S.;
- Period of authorized admission in H-1B status (I-94) has not expired;
- Are not subject to a nonimmigrant visa issuance (reciprocity) fee ([check here](#) whether your country of nationality is subject to a reciprocity fee);
- Are eligible for an in-person interview waiver ([check here](#) for eligibility);
- Have submitted ten fingerprints to DOS in connection with the prior visa application (if you ever came in for an interview at age 14 or older and your visa was issued in or after January 2008, you should have been ten printed);
- Prior visa does not include a “clearance received” annotation;
- Do not have a visa ineligibility that would require a waiver prior to issuance (e.g., a criminal record); and
- Intend to reenter the U.S. in H-1B status after a temporary period abroad.



Application Periods: DOS will begin accepting online applications for the pilot program starting January 29, 2024, and release approximately 2,000 application slots for those whose most recent H-1B visa was issued in Canada and another approximately 2,000 for those whose most recent H-1B visa was issued in India. The application process will close when all slots are filled. The release dates are:

- January 29, 2024
- February 5, 2024
- February 12, 2024
- February 19, 2024
- February 26, 2024



Application Process: Applications will be submitted online via a dedicated [website](#); Applicants will:

- Select the consular post of their most recent H-1B visa issuance (Canada or India);
- Answer a series of questions to screen for eligibility;
- Complete and submit the electronic Form DS-160;
- Pay a non-refundable, non-transferable Machine-Readable Visa (MRV) fee in the amount of \$205 online;
- and Receive instructions through the online portal concerning how to send their passports and other required documents via mail or courier service to the DOS.



Documentary Requirements:

- A completed and electronically submitted Form DS-160, Online Nonimmigrant Visa Application;
- One passport-style photograph;
- A passport valid for at least six months beyond the visa application date with a blank, unmarked page for placement of a visa foil;
- Original or copy of the applicant's current H-1B Approval Notice (I-797); and
- Original or copy of the applicant's I-94 Arrival/Departure Record.



Adjudication Process:

- Applications will be considered on a first-come-first-served basis.
- DOS expects an average processing time of 6-8 weeks from the time of receipt of passports and documents.
- There will be no expedited processing.
- Domestic issuance of a visa through the pilot program is not guaranteed.
- Applicants can check the status of their application via <https://ceac.state.gov/CEACStatTracker/Status.aspx?App=NIV>.
- Applications that are reviewed but do not satisfy one or more of the requirements for the pilot program will result in a refusal under INA 221(g) for an incomplete application or supporting documentation.
- Depending on the specific reason for the refusal, the applicant will either be allowed to correct minor errors or submit outstanding documentation or information prior to April 15, or the applicant will be instructed to reapply by filing a new visa application at a consular post abroad (in which case a new MRV fee must be paid).
- If approved, DOS will return the passport with the issued visa and any submitted documents to the applicant via mail or courier service.

Serotte Law Firm



connect@serottelaw.com



Toll Free: 888.875.8110

Local: 716.881.2600