

U.S. Department of State Announces Launch of Pilot Program for Stateside Visa Stamp Renewal

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The U.S. Department of State (“DOS”) will launch a highly anticipated pilot program this month that will allow a limited number of eligible applicants to apply for visa stamp renewal from within the U.S., negating the need to travel to a U.S. Embassy or Consulate outside the U.S. to complete the process. [1] The DOS’s pilot program is limited in scope, and only applicants previously issued H-1B visa stamps by Mission Canada or Mission India during a specific period will be eligible to apply for visa stamp renewal domestically. For the time being, the DOS is not offering stateside processing for any other visa classification, meaning dependent visa holders (H-4) are also excluded from program eligibility. Nevertheless, the hope is that the DOS will eventually expand the program to include all nonimmigrant visa classifications, thereby reducing workloads at consular posts, and speeding up processing times for all visa applicants.

The pilot program is expected to run from January 29 – April 1, 2024, and DOS will release approximately 4,000 visa renewal application slots during each of the first five (5) weeks of the pilot.

To be eligible to participate in the program, an applicant must meet the following criteria:

- Is seeking to renew an H-1B visa.
- The prior H-1B visa stamp to be renewed was issued by Mission Canada during the period January 1, 2020 – April 1, 2023, or Mission India, during the period February 1, 2021 - September 30, 2021.
- Is not subject to a nonimmigrant visa issuance fee (“reciprocity fee”).
- Is eligible for a waiver of the in-person interview requirement.
- Has submitted ten fingerprints to the DOS in connection with a previous visa application.
- Has a prior visa that does not include a “clearance received” annotation.
- Does not have a visa ineligibility that would require a waiver prior to visa issuance.
- Has an approved and unexpired H-1B petition.
- Was most recently admitted to the United States in H-1B status, is currently maintaining H-1B status in the United States, and the period of authorized admission

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in H-1B status has not expired.

- Intends to reenter the United States in H-1B status after a temporary period abroad.

The DOS will begin accepting online applications for the program January 29, 2024 via <https://travel.state.gov/content/travel/en/us-visas/employment/domestic-renewal.html>.

In order to control the number of applications received, the DOS will release each week of the program period approximately 2,000 application slots for applicants whose most recent H-1B visas were issued by Mission Canada, and approximately 2,000 application slots for those whose most recent H-1B visas were issued by Mission India (approximately 4,000 total each week) on the following dates:

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

Once all applications slots have been claimed in a given week, the online portal will be locked until slots are released on the next designated application date. Applicants who are unable to apply on one application date may attempt to apply on any of the remaining application dates. The pilot program's application period will close when all application slots are filled, or on April 1, 2024, whichever comes first. The DOS will consider domestic visa renewal applications in the order received, and expects that the average processing time will be six to eight weeks (from the time that the passport and other required documents are received). The DOS aims to complete processing of all applications no later than May 1, 2024.

The Dorsey & Whitney, LLP immigration team has extensive expertise in all stages of the H-1B nonimmigrant process. Please contact us for further information.

[1] Although an individual in valid H-1B status may lawfully remain in the U.S. for the duration of the H-1B approval period, a valid H-1B visa stamp is required to re-enter the U.S. if the individual travels outside the U.S.