

# DEPARTMENT OF STATE PROCESSES DOMESTIC VISA RENEWALS FOR CERTAIN APPLICANTS IN LIMITED PILOT PROGRAM

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*Hodgson Russ Immigration Alert*  
January 30, 2024

For the first time in nearly two decades, the Department of State (“DOS”) will begin processing domestic visa renewals for certain H-1B visa applicants as part of their limited pilot program. Starting January 29, 2024, DOS will launch this voluntary program for approximately 20,000 eligible participants.

In 2004, DOS discontinued domestic renewal of non-diplomatic nonimmigrant visas primarily because of requirements resulting from the passage of the Enhanced Border Security and Visa Entry Reform Act. Now, by redesigning these services with a focus on both national security and user experience, DOS seeks to alleviate the uncertainty often experienced by U.S. companies and their foreign national employees that require petition-based visas.

The pilot program seeks to increase capacity across consular sections around the world to adjudicate other visa categories who require in-person interviews. This also signals a significant stride to modernize and improve worldwide visa services. After this initial application period, DOS will seek to expand the scope of their pilot program.

## Pilot Program Overview

The pilot program will accept applications from January 29, 2024, through April 1, 2024, or when all application slots are filled, whichever comes first. Each week, DOS will release approximately 2,000 application slots for those whose most recent H-1B visa was issued by Mission Canada and approximately 2,000 application slots for those whose most recent H-1B visa was issued by Mission India. Once the weekly limits are reached for each mission, the online application portal will be locked until the next date. The application process will close when all slots are filled, or on April 1, 2024, whichever is sooner.

## What are the steps to applying for the domestic H-1B visa renewal pilot program?

There are several steps to apply for this pilot program:

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1. **Determine Eligibility to Participate:** Applicants can use this [link](#) and follow the online navigator tool to assess their eligibility for participation in the pilot program. Importantly, the initial pilot program is limited to renewals of H-1B visas issued in Canada and India.
2. **Complete DS-160 Online:** If an applicant is deemed eligible, they must fill out their DS-160, Online Nonimmigrant Visa Application. Applicants can follow this [link](#) and in the drop-down menu under “Select a location where you will be applying for this visa” they may select “U.S. - DOMESTIC” to begin their application.

Applicants must pay the required, non-refundable, non-transferrable Machine-Readable Visa (“MRV”) application processing fee of \$205 USD. The portal will also provide instructions for mailing their passport and other required documents for processing.

Individuals who do not meet the requirements for participation in the pilot program, or those who choose not to participate in the pilot program, may continue to apply for visa renewal at a U.S. embassy or consulate abroad.

### Who is eligible for participation in the domestic H-1B visa renewal pilot program?

Participation in the pilot program will be limited to applicants who:

- Are seeking to renew an H-1B nonimmigrant visa **only** (H-4 visas for dependent spouses and children are excluded from this pilot program).
- Are renewing a prior H-1B visa that was issued by U.S. Mission Canada with an issuance date of January 1, 2020, through April 1, 2023; **or** by U.S. Mission India, with an issuance date of February 1, 2021, through September 30, 2021.
- Are not subject to a nonimmigrant visa issuance fee (also known as a “reciprocity fee”).
- Are eligible for a waiver of the in-person interview requirement.
- Have submitted ten fingerprints to DOS in connection with a previous visa application.
- Do not have a prior visa with a “clearance received” annotation.
- Do not have a visa ineligibility that would require a waiver prior to visa issuance.
- Were most recently admitted to the United States in H-1B status.
- Are currently maintaining H-1B status in the United States.
- Have an approved and unexpired H-1B petition.
- Have a period of authorized admission in H-1B status that has not expired.
- Intend to reenter the United States in H-1B status after a temporary period abroad.

### What documents are required for a domestic H-1B visa renewal?

An applicant will need to submit the following documents:

- A DS-160 barcode sheet for a properly completed and electronically filed form DS-160.

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- A passport valid for travel to the United States, which is valid for at least six months beyond the visa application date.
- Non-refundable and non-transferable MRV application processing fee.
- One photograph (taken within the last six months), which meets the specifications found [here](#).
- Copy of current Form I-797, Notice of Action.
- Copy of Form I-94, Arrival-Departure Record (available [online](#) or on the Form I-797).

### How will the domestic H-1B visa renewal application be processed and adjudicated?

- Applications will be considered in the order they are received. Applicants can check the status of their application [online](#).
- According to DOS, the average processing times are expected to be between 6-8 weeks from the time the passport and documents are received. It is their intention to complete processing of all applications no later than May 1, 2024.
- No requests for expedited processing will be accepted. If an applicant applies for domestic visa renewal and requires urgent travel, they may withdraw their application and request their passport be returned to them.
- If an applicant fails to provide required documentation or information, DOS will refuse the application and then provide specific instructions to the applicant for submitting outstanding documentation or information.
- If approved, the issued visa, passport, and documents submitted will be returned to the applicant via USPS or a courier service.

If you have questions about whether you are eligible for the domestic H-1B visa renewal pilot program, or if you have questions about working in the United States, please reach out to our [Immigration Practice Group](#).

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