



Workplace Immigration: Feds Announce Visa Renewal Pilot Program to Improve Processing Times

Insights

3.02.23

Employers just received some good news from the federal government that should help reduce the backlog for some visa renewals. Certain foreign workers looking to renew their visas can now do so within the U.S. instead of having to travel abroad and face significant visa processing times. Here's what you need to know about the State Department's new pilot program for non-immigrant H and L visa renewals, which is expected to launch later this year.

Pandemic Caused Significant Delays

Currently, most people who want to travel to the U.S. for work purposes must obtain a visa stamp at a U.S. embassy or consulate outside the U.S. prior to entry. This includes foreign nationals who already work in the U.S. but want to travel home for personal or business-related purposes. Historically, workers had the option to obtain visas while in the U.S. However, the government shutdown the domestic/stateside visa stamping program after the 9/11 terrorist attacks, and people were required to obtain visa stamps abroad.

While there have always been some issues with the process, the past few years have resulted in significant backlogs in visa renewals for many foreign countries due to the ongoing COVID-19 pandemic. Many U.S. embassies and consulates around the world were forced to suspend routine visa services and limit operations due to pandemic-related health and safety concerns. This has resulted in a significant backlog of visa applications and renewal requests that are not being processed in a timely manner.

Furthermore, the pandemic has also created logistical challenges, such as reduced transportation options and limited staffing, which have further contributed to the visa renewal backlog. For some countries, visa stamping appointments are not available until 2024.

New Pilot Program Announced

In an effort to combat these issues, the U.S. Department of State has unveiled a new pilot program that will allow some foreign workers to obtain visas without having to leave the United States. Julie Stuftt, deputy assistant secretary for visa services in the Bureau of Consular Affairs, told Bloomberg Law that the pilot program is slotted to begin later this year and will restore a part of the previously

discontinued domestic visa revalidation program that was eliminated in 2004. This new pilot program will apply specifically to non-immigrant H and L visa renewals.

This is welcome news for employers, as well as foreign workers and their dependents who are looking to renew H or L visas. Workers would otherwise encounter long wait times for visa appointments with the potential risk of being stuck abroad and disrupting their employment while they wait. Previously, U.S. employers have advised their foreign national employees to avoid international travel so they don't get stuck abroad indefinitely while they secure a visa appointment.

Now, foreign workers and their dependents looking to renew their H or L visa will be able to do so without leaving the United States. You should be aware, however, that the pilot is likely to be narrow in scope and time-limited while the Department of State tests its ability to re-implement revalidation.

For those looking to renew visas in other categories, unfortunately, it may take months or longer for the State Department to roll out a full stateside revalidation program after the pilot is completed.

Conclusion

If you have any questions on whether this domestic visa revalidation program may apply to your workforce, please feel free to reach out to your Fisher Phillips attorney, the authors of this Insight, or any member of our [Immigration Practice Group](#). We will continue to monitor the latest developments related to this area and provide updates as warranted, so you should ensure you are subscribed to [Fisher Phillips' Insight System](#) to gather the most up-to-date information directly to your inbox.

Related People



Tatiana S. Chiu
Associate
617.532.5893
Email



Jocelyn Campanaro

Partner

303.218.3667

Email

Service Focus

Immigration