

GENERAL
INFORMATION

FDA H-1B/O-1 Visa Application

Do I need a new H-1B or O-1 visa?

While you are in the United States, the entry visa in your passport can expire as long as your current I-797 H-1B/O-1 approval notice and Form I-94 are valid. However, if you leave the country and travel abroad, you *must* have a valid entry visa in your passport before re-entering the United States in most circumstances.

A valid U.S. unexpired visa may not be required if you are traveling to Canada or Mexico. See our FDA H-1B/O-1 Travel Guidance for more information.

BOOKING A VISA APPOINTMENT

You can only obtain an H-1B or O-1 visa from a U.S. Embassy or Consulate outside of the United States. For more information on visa applications, refer to the Department of State.

The process for obtaining a visa varies by country. Always refer to the U.S. Embassy/Consulate website where you plan to apply for the visa to find out specific application process for each visa type.

Note: DIS recommends applying for a visa in your home country. DIS also recommends scheduling the visa appointment as early as possible and booking flexible travel arrangements to ensure adequate time for processing. Consult with DIS beforehand if you have any of the following:

1. An open or pending case at DIS
2. A pending petition or application at U.S. Citizenship and Immigration Services (USCIS)
3. Plans to apply for your visa in a country other than your home country

POSSIBLE FEE EXEMPTION FOR GOVERNMENT EMPLOYEES

If you are a U.S. government employee traveling on official business, you *may* be exempt from the Machine-Readable Visa (MRV) non-immigrant visa application processing fee. Check with the U.S. Embassy/Consulate directly to confirm your eligibility. You may need to present a copy of your travel authorization, which can be obtained from your Administrative Contact. DIS is unable to assist in obtaining any fee exemption that may apply.

REQUIRED DOCUMENTS

DIS does not provide new documents solely for purposes of visa renewal. In addition to any documents required by the U.S. Embassy/Consulate, bring the following documents as evidence of your H-1B/O-1 status:

- Valid Passport
- Current Form I-797A H-1B or O-1 approval notice
- Current Form I-94 ([located online](#) or on bottom of most recent Form I-797A), whichever was issued later
- Travel letter from your Center. See NIH [sample](#) for suggested language
- If H-1B:
 - Copy of your most recent Labor Condition Application (LCA)
 - Original Form I-797 Approval Notice to Waive the Foreign Residence Requirement (I-612 Waiver Approval), if applicable
- Other recommended documents:
 - FDA Identification (ID) badge
 - Copy of two most recent Leave and Earnings Statements

H-4 and O-3 dependents should present the above documentation (excluding the travel letter) and evidence of the qualifying family relationship, i.e. marriage or birth certificate.

Continued on Reverse

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PROCESSING TIMES AND DELAYS

Visa processing times vary greatly. Due to the need for in-person interviews and security checks (often referred to as administrative processing), processing times between 30 and 120 days – and sometimes longer, in rare cases – are possible. If your visa is still pending 90 days after your interview date, please notify DIS so we can monitor the delay and be aware of any related issues. However, be aware that DIS is unable to expedite the visa adjudication or issuance process.

PROVIDE UPDATED DOCUMENTS TO DIS

Upon your re-entry to the U.S., send DIS a copy of any updated immigration documents, including your new visa and Form I-94. Immigration documents contain Personally Identifiable Information (PII) and must be sent via a secure method to DISFDA@mail.nih.gov. Do not send unencrypted e-mails to DIS that contain PII. Instead, email DIS at DISFDA@mail.nih.gov to request an encrypted email chain be initiated, which you can then use to submit your updated immigration documents.

USEFUL LINKS

Embassy and Consulate Locations and Contact Information: usembassy.gov

How to Obtain a Copy of Most Recent I-94: <https://i94.cbp.dhs.gov/I94>

Template of Travel Letter: ors.od.nih.gov/pes/dis/VisitingScientists/Documents/SampleLetterTravel.doc

Information on Administrative Processing: travel.state.gov/content/travel/en/us-visas/visa-information-resources/administrative-processing-information.html

DOS Travel Page: travel.state.gov

H-1B/O-1 Travel Guidance: <https://ors.od.nih.gov/pes/dis/VisitingScientists/Documents/h1bo1travelhandout.pdf>

Send documents via secure method to DIS:

Building 31, Suite B2B07
31 Center Drive MSC 2028
Bethesda, MD 20892-2028
Telephone: (301) 496-6166
ors.od.nih.gov/pes/dis

DIS is not responsible for lost packages. Lost or misdelivered packages are not grounds for DIS to expedite processing!!

Keep copies of everything you send to DIS