

U.S. makes H-1B visa renewals tougher

Fresh changes in rules notified by the U.S. Citizenship and Immigration Services for renewal of non-immigrant visas will severely impact H-1B visa holders. Petitions for renewal of H-1B visas, particularly when the underlying facts that supported the original petition have not changed, are currently considered with a presumption of approval, but that will no longer be the case, USCIS said in a statement issued late on Monday. Consequently, the burden of proof will be on the petitioner to substantiate his application even when nothing has changed since the previous petition.

The new rules are in line with the Donald Trump administration's Buy American, Hire American policy, USCIS said. The new changes were announced even as a comprehensive review of the H-1B programme is under way.

Primarily, an H-1B worker goes to the USCIS for three types of changes to his status — amendment, transfer and renewal. Amendments are sought when an H-1B employee changes the location within the same company; transfer is sought when he moves from one company to another; and a renewal is sought at the expiry of the visa, which is usually issued for three years at the beginning.

END

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