

Update on Nonimmigrant Visa Interview Waivers

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As part of the application process for a visa to the United States, typically you must complete an in-person interview at a U.S. consulate to show that you are eligible for the visa.

However, some applicants may now be able to have that interview waived. Using this process is a convenient option for those applying in certain nonimmigrant visa categories or those renewing visas in the same nonimmigrant category. Having the interview waived can reduce the hassle and anxiety of an in-person interview with a consular officer.

Am I Eligible for an Interview Waiver?

Through December 31, 2022, you may qualify for an interview waiver for an initial nonimmigrant visa application if you fit into one of these categories:

- Applicant for F, H-1, H-3, H-4, academic J, L, M, O, P, and Q visas and were previously issued any type of visa
- Applicant for a visa category included above, from a country that participates in the Visa Waiver Program, and previously traveled to the United States under ESTA authorization
- Applicant for H-2 visa (temporary agricultural and non-agricultural workers)

You also must be applying at the consular post in your country of usual residence, and you were not previously refused a visa in any classification unless the refusal was overcome or ground for inadmissibility was waived.

You may also qualify for an interview waiver, indefinitely, for a nonimmigrant renewal visa application if:

- You are applying at the consular post of your usual residence
- You have a previously issued U.S. visa in the same classification as the visa for which you are applying, and your prior visa is still valid or has expired within the last 48 months
- Your prior visa is not annotated "Clearance Received" or "Department Authorization"
- Your most recent visa in the same classification for which you are applying was not lost/stolen or canceled; and
- You were not previously refused a visa in any classification (with some exceptions)

If you believe you are eligible for an interview waiver, you will need to review your local U.S. consulate's

website or appointment scheduling website to determine what is required to apply for a waiver. Typically, consulates require you to schedule an appointment to drop off or allow you to mail in the following documents:

- DS-160 confirmation page
- Valid passport
- Pre-paid courier packaging for passport/document return
- MRV fee receipt
- Two passport style photographs
- Visa petition approval notice (such as Form I-797 approval notice)

Be advised: As procedures will vary from consulate to consulate around the world and the consulate has discretion to require an interview of any visa applicant, you should consult an immigration attorney to discuss how to file and whether you may qualify for a waiver.

If you have questions regarding your case, please anyone in the [Barley Snyder Immigration Practice Group](#).