

I changed from F1 to H1B. If I go outside the US and try to get my passport stamped with an H1B visa, can my visa be denied on the basis of filing for an immigrant status?

Q: I changed from F1 to H1B. My parents have green cards, and had filed an I-130 (family relation) petition

for me while I am here. Now, if I go outside the US and try to get my passport stamped with an H1B visa, can my visa be denied on the basis of filing for an immigrant status?

A: The H1B visa is a "dual intent" visa. In other words, if you are on an H1B nonimmigrant you are allowed to file for an immigrant status at the same time. Your H1B visa should not be denied solely based on the facts that you have described.