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Transferring H-1B While an RFE is Pending

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Submitted by Chief Editor on Jan 23rd 2018

I am working as a consultant for big client. My employer applied for my H1b extension and received an RFE, they have recently replied for my RFE and now waiting for the decision. Now my client offered me job and ready for transfer my H-1. My questions is : is it possible to transfer H-1 during RFE?

ANSWER:

Watch the Video on this FAQ: Transferring H-1B while an RFE is pending ^[2]

Video Transcript

Yes of course, but in a situation where your company applied for your extension, let's say six months ahead of time and in the second month they got a RFE, its pending now, but you still have four months on your original H-1 still left during that time you can transfer there is no question. But what if your status has expired and the extension is pending you can still transfer, but you may have to go outside for visa stamping if on the date your transfer is approved or extension is not already approved. More...^[2]

Note: This is a verbatim transcript of the referenced audio/video media delivered as oral communication, and, therefore, may not conform to written grammatical or syntactical form.

Nonimmigrant Visas:

Transfer ^[3]

Extension ^[4]

H-1 Visa ^[5]

Immigration Law :

RFE ^[6]

FAQ Transcript:

Note: This is a verbatim transcript of the referenced audio/video media delivered as oral communication, and, therefore, may not conform to written grammatical or syntactical form.

Unless the context shows otherwise, all answers here were provided by [Rajiv](#) [7] and were compiled and reported by our editorial team from comments and blog on [immigration.com](#) [8]

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Links:

- [1] <https://immigration.com/faq/transferring-h-1b-while-rfe-pending>
- [2] <https://youtu.be/9Cc5yL03Pm8?t=1628>
- [3] <https://immigration.com/visa/nonimmigrant-visas/transfer>
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