



h-1b/h-4 visa update: u.s. state department expands online presence review to include h-1b and h-4 visa applicants

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Msk Client Alert

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According to a recent announcement from the U.S. Department of State (DOS), as of **December 15, 2025**, the DOS will expand the requirement that an "online presence review" be conducted for all H-1B applicants and their dependents (H-4). Per the announcement, all H-1B and H-4 visa applicants at U.S. consular posts abroad will undergo a review of their "online presence." The announcement does not differentiate between visa renewals and first time applications.

Applicants are instructed to set their social media accounts to "public" and undergo State Department review of their social media content and activity. Online presence may also include professional networking platforms like LinkedIn.

A similar "online presence review" has already been in place for F, M and J visa applicants since June 2025. The December 2025 directive expands this practice to now include the H-1B and H-4 visa categories.

While specific details about the new H-1B/H-4 vetting policy remain unclear, a May 2025 State Department cable providing guidance to consular posts on the online presence policy for F/M/J visa applicants may offer relevant insight. This cable directs consular officers to flag the following:

- Indications of "hostility toward the citizens, culture, government, institutions, or founding principles of the United States";
- Indications that an applicant advocated for, aided, or supported designated foreign terrorists and other threats to U.S. national security or "perpetrated]

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unlawful antisemitic harassment or violence”;

- Indications that an applicant might “steal technical information, exploit U.S. research and development, and spread false information for political or other reasons”; and
- Whether an applicant “demonstrate[s] a history of political activism” and whether there is a “likelihood they would continue such activity in the United States.”

The above policy applies specifically to visa stamp applications at U.S. consular posts abroad, not to H-1B and H-4 petitions filed with the U.S. Citizenship and Immigration Services (USCIS). This means that all beneficiaries with an approved petition for H-1B/H-4 status with USCIS are still subject to the online presence review if/when they apply for a visa stamp at a U.S. consular post abroad, regardless of whether the USCIS petition was approved prior to December 15, 2025.

How can employers and visa applicants prepare?

H-1B and H-4 visa applicants should closely review their social media activity across all platforms. Furthermore, consular officers may increase checks on LinkedIn and other public platforms to verify applicants' work history, qualifications, employment status, job location, etc. Applicants should make sure any information published online does not contradict the terms of any periods of authorized work and/or stay in the United States.

Employers and their employees should also take necessary steps to account for potential processing delays and limited H-1B/H-4 visa appointment availability at U.S. consular posts abroad as these new enhanced vetting measures are implemented.

As noted above, applicants must set all of their media account settings to “public”. Selective private settings on some content may also be scrutinized and lead to a negative inference of inadmissibility.

Please reach out to your MSK immigration attorney with any questions.