



UNIVERSITY OF  
**MARYLAND**  
INTERNATIONAL STUDENT & SCHOLAR SERVICES

*This page contains information about immigration regulations  
international scholars and faculty that can be useful during the COVID-19 situation*

## ISSS Processing Update #2

This notice serves to provide an ISSS update on U.S. immigration as it relates to the hiring of foreign nationals and the impact of COVID-19 travel restrictions.

### Processing for H-1B Employment Visas

- Effective March 20, 2020, USCIS will not accept requests for premium processing for I-129 or I-140 petitions due to COVID-19. This will impact our ability to expedite the adjudication of our H-1B, TN, O-1, E-3 and permanent residency petitions. The regular processing time is 8 months. As soon as the premium processing service is reinstated, we will alert you.
  - **H-1B/TN/O-1 Extensions:** When ISSS files an H-1B extension petition, the employee may continue working for 240 days while the application is pending at USCIS. The employee may remain in the U.S. and maintain their status.
  - **H-1B/TN/O-1 Change of Status:** When ISSS files an H-1B petition to change the employee's non-immigrant status from F-1/J-1 to H-1B, the employee may remain in the U.S. However, the employee may not start working until the petition is approved and the employee can recertify an I-9 for the new employment authorization.
  - **H-1B/TN/O-1 Transfers:** ISSS may file an H-1B petition to report UMD as the new employer. The H-1B employee may begin working for UMD when UMD files the petition with USCIS and USCIS acknowledges receipt.
  - **H-1B/TN/O-1 Initials from Abroad:** Please note that the U.S. Department of State is temporarily suspending routine visa services at all U.S. Embassies and Consulates globally. This means that although the employee may receive an approval notice, the employee will need to wait abroad until he/she can secure an appointment at a U.S. consulate and obtain a visa. At this time, ISSS is unable to predict a realistic start date for these applications. However, the suspension of premium processing and the ongoing coronavirus outbreak would indicate a start date 8 months or more into the future.
- Requests for H-1B/TN/O-1s that have not yet been submitted in iTerp and/or are not filed in a timely manner will fall under the discretion of USCIS's [special situations](#). USCIS may excuse the

delay if it was due to extraordinary circumstances beyond the University's control. ISSS will manage these on case-by-case basis.

- ISSS and UHR have finalized a process to post an electronic Labor Condition Application on the [ISSS website](#) with a link to the [UHR website](#). This new method of posting will satisfy the posting requirements for the University. This is what the new process will look like:
  - **Step 1:** ISSS will file a Labor Condition Application through the U.S. Department of Labor website.
  - **Step 2:** ISSS will post the [LCA electronically](#) on the ISSS website with a link to [UHR's website](#) (under the tab, Jobs) for 10 business days.
    - If the employee is placed at UMD, no further action is required.
    - If the employee is placed at a third party, under an agreement, the department will email the LCA to the third-party for posting.
  - **Step 3:** US Department of Labor will certify the LCA within 7 calendar days.
- **Working Fund Checks:** The state of Maryland activated a level 3 status due to COVID-19. This means only critical payments will be processed. Each college will be asked to determine if the H-1B processing fees will be considered critical payments. ISSS requests that Colleges and Schools prioritize current employees who need an extension of their status. ISSS is working with the University's Controller's office to have immigration processing recognized as an essential service to the University.
- **F-1 Optional Practical Training and H-1B:** ISSS advises new hires who hold F-1 student status and are planning to graduate in 2020, apply for F-1 Optional Practical Training. This F-1 student benefit is processed by USCIS. This step will ensure a smooth transition into H-1B status.

## Processing for J-1 Exchange Visitor Program

- ISSS continues to process J-1 extensions, amendments and transfers.
- As per [our March 10th communication](#), the U.S. Department of State has requested all J-1 sponsors to suspend processing of DS-2019s for 60 days as of March 13, 2020. DS-2019s that have been issued with a start date in the 60-day suspension period are in the process of being canceled due the uncertainty of the current situation. ISSS is creating an e-form process to capture these applications and will work with departments to re-activate these program when the situation improves.
- Effective March 13, 2020, ISSS is not processing new J-1 DS-2019s **for exchange visitors coming from abroad**. As per Department of State guidance, this will remain in effect for 60 days. Please

do not submit new requests for DS-2019s during the suspension period. Processing will resume on May 12, 2020, provided the suspension period is not extended.

- In response to significant worldwide challenges related to the COVID-19 pandemic, the Department of State is temporarily suspending routine visa services at all U.S. Embassies and Consulates. Embassies and consulates will cancel all routine immigrant and nonimmigrant visa appointments as of March 20, 2020. Check the website of the embassy or consulate for its current operating status: [usembassy.gov](https://usembassy.gov)