ISSS: H-1 and J-1 Processing Updates

Academic Colleagues,

Happy New Year! Welcome back from what I hope was a wonderful winter break. It is the time of year to conduct a review of the expiration dates for your international faculty and scholars’ immigration statuses, specifically F-1 OPT, J-1, H-1B, TN, E-3 and O-1 visas.

Please review the status of your international employees with their respective supervisors and determine whether or not an extension will be required. Below are the timelines we are currently working with, delineated by immigration status:

• H-1B extensions: H-1Bs expiring by August 2022 can be filed at this time
• J-1 extensions: J-1s expiring by June 2022 can be filed at this time
• F-1 OPT Change of Status to H-1B: F-1 OPTs expiring August of 2022 can be filed at this time
• Review EAD card expiration dates to determine if an extension or change of status is necessary.

At the time of this message, plan for a minimum of six months processing time at USCIS.

U.S. Consulates/Embassies - Visa Issuance

Due to COVID-19, US consulates and embassies abroad are backlogged with visa applications. It may take 30 to 60 days, if not longer, to schedule an appointment. We advise faculty to identify an alternate embassy with shorter wait times.

**New** The Department of State has issued a new policy granting foreign nationals, when eligible, a waiver of the visa interview. The policy, issued on December 23, is effective immediately and permits select H-1B, O-1 and J-1 applicants with a previously approved visa to request a waiver of the visa interview. Visa applicants must apply for a visa in their country of nationality or residence. The foreign national will be required to complete the DS-160 visa application and pay the visa fee. We advise that they follow up with the U.S. embassy to determine their eligibility for the waiver.

We continue to monitor U.S. government entry restrictions and the operations of U.S. embassies and consulates with regard to visa issuance. For more details, please visit the Department of State - Bureau of Consular Affairs' website for visa wait times.

COVID-19 Travel Requirements for entry to the U.S.

Effective December 6, 2021, the U.S. government requires all airline passengers entering the United States (including U.S. citizens and Legal Permanent Residents) to present a negative
COVID-19 test, taken within one day of departure or proof of recovery from the virus within the last 90 days if fully vaccinated.

- In response to the Omicron variant of COVID-19, the United States will require all inbound international airline passengers ages 2 and older - regardless of citizenship or vaccination status - to submit a negative COVID-19 test taken within 1 calendar day of travel in order to board their flight.
- As under the current policy, in place of the COVID-19 test, passengers may submit evidence of recovery from COVID-19 within the last 90 days.
- For more information, visit the [CDC](https://www.cdc.gov) website. International scholars and faculty should check with their airline regarding any questions they might have regarding the new requirement.

**J-1 Exchange Visitor Program**

As we begin the new year, we remind you that J-1 activities must be partially or fully performed at the site of activity. In accordance with Department of State regulations, we must determine that each individual scholar to whom we are issuing new J-1 visa documents will perform some or all of their research activities in-person at the site of activity, and that there are plans in place to ensure that the J-1 scholar can perform their in-person research activities in compliance with the University’s COVID-19 guidelines.

**J-1 Processing Tips:**

- **Initial J-1 DS-2019s:** *Initial requests for a J-1 DS-2019 must be submitted to ISSS 4 months before the start date.* This change in processing time is being implemented to allow time for visa applications, J-1 travel time, departmental request processing, and ISSS processing. ISSS begins its processing after the Provost’s Office approves the PHR appointment. Please plan to begin J-1 visitors with this 4-month lead time as this allows the employee sufficient time to apply for a US visa, undergo background checks (4 - 6 weeks), handle their personal matters and travel to the US to find housing and settle-in (including possible quarantine requirements) before starting their position. ISSS estimates a timeline of 3 weeks for DS-2019 processing. Requests are processed in the order that they are received.
- **Extensions/Transfers:** Please submit J-1 Extension and Transfer requests 3 months before the DS-2019/appointment end date. This will allow sufficient time to review and approve the request, which may require collecting additional information prior to issuing the DS-2019. The J-1 participant may need to renew security clearances and driver’s licenses. Early completion of the extension request can facilitate the continuity of the research project.
- **PHR Start Dates:** When possible, *we ask that paid J-1 exchange visitors receive PHR start dates on the first of the month* in order to simplify the health insurance process for the exchange visitor. COVID-19 has increased the importance of continuous insurance coverage. When the J-1 participant does not have coverage at the start of their position, they must find alternative insurance until they can be added to the State of Maryland’s insurance plan. This creates a barrier to a smooth transition at UMD. Careful planning before the beginning of the program is important.
- **PHR Appointment:** J-1 DS-2019 requests begin at the department level with the release of an appointment in PHR. The release of the appointment will trigger a data feed overnight from
PHR to iTerp. The following day, you will be able to search for the employee using the UID and date of birth and begin processing in iTerp. Details on this process can be found on the ISSS website here.

- Use of Faculty Titles: The J-1 status is limited to temporary position titles, such as postdoctoral associate, faculty assistant, and visiting scientists and visiting professors. J-1 regulations prohibit the use of the visa for tenure-track/tenured/permanent positions.
- J-1 Online Check-in: Upon arrival into the U.S., all J-1 scholars will check-in online through [iTerp. Login instructions](#) for iTerp are posted on the ISSS website. In some cases, the scholar may require assistance with scanning documents for upload into iTerp. iTerp accepts scans and photos of documents. Information about the online check-in process is sent to J-1 scholars prior to their arrival.
- J-1 Orientation: During the spring semester, ISSS will continue to host [J-1 orientation](#) virtually every other Thursday, 10:00 am - 12:00 pm. This will allow newly arriving scholars to complete the check-in process and collect the information they need to settle into the community while complying with COVID-19 campus protocols.

**H-1B Employment Visa Program**

We are currently experiencing lengthy processing times of 5.5 - 7.5 months at USCIS for the adjudication of H-1B applications. It is critical that departments submit requests in iTerp for initial and extension petitions with a minimum of a 7-month lead time.

- Requests for Further Evidence (RFE) on H-1B applications have increased. RFEs take 4 - 8 weeks to process, as ISSS must work with the employee and the department to gather new evidence for the immigration application. ISSS works closely with the department to prepare a comprehensive and evidentiary response. Once USCIS receives the University’s response, USCIS has 15 days to adjudicate the petition, under premium processing.
- ISSS is regularly receiving “urgent” requests from around campus, some with less than 3 months of time remaining in the employee’s current immigration status. This practice jeopardizes the employee’s ability to continue their employment, remain in the US., and renew their driver’s license.
- Requests for initial and extension H-1B petitions filed with 3-months lead time for processing may necessitate the need for premium processing. For these last-minute submissions, USCIS charges a premium processing fee of an additional $2,500.00 to expedite each case.

**Communicating with a Faculty/Scholar Advisor**

- Chat online with ISSS for quick inquiries - M-F, 10:30am-12:30pm
- Our [website](#) contains most of the information you need to submit requests to ISSS
- [Make an appointment](#) with an ISSS advisor
- Dedicated phone line to better manage the volume of calls regarding international faculty/scholar issues. Ash Reynolds is your main point of contact for international faculty/scholar questions. Their direct line is 301.405.1617
ISSS Communication

For easier reference, we have a designated site on our webpage where you can reference past ISSS communication on immigration updates.

If you have any questions, please contact me at cjl@umd.edu.

Connie Jesse Lira  
Assistant Director for Faculty/Scholar Immigration  
ISSS