



# IMMIGRATION CONCERNS RELATING TO THE COVID-19 PANDEMIC

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For the past several years, March has been a crazy time for immigration practitioners and employers that sponsor foreign workers for H-1B visa status as they prepare to file a year's worth of petitions during the first week of April. When the government announced new procedures for this year's H-1B season, we knew things would be different. Now, with the growing COVID-19 pandemic, there are a slew of new developments and unanswered questions to ponder with respect to the H-1B process and other nonimmigrant and immigrant visa procedures. Much will be in flux during the coming weeks and months, but we will monitor the situation and provide updates as soon as possible.

**H-1B Update:** The initial registration period for potential H-1B applicants ends at noon Eastern time on March 20. USCIS (U.S. Customs and Immigrations Services) has promised to notify the registrants who are chosen in the H-1B lottery by March 31. To date, USCIS has made no announcement relating to any extension of this period in the face of the pandemic, nor has any announcement been made regarding the deadline to file applications for those selected in the lottery. The first date that applications will be accepted is April 1.

**Travel Restrictions for All Types of Visa Holders from Certain Countries:** On March 11, President Trump signed a Presidential Proclamation expanding previous restrictions directing that all flights from specified countries (China, Iran) be routed to designated airports for screening. The new proclamation suspended the entry of foreign nationals who have been in 26 European countries (known as the Schengen area,

which includes France, Germany, Italy, Spain, etc.), in addition those from China and Iran, in the 14 days prior to their scheduled travel to the U.S. That proclamation has since been expanded to include travelers returning from the United Kingdom and Ireland. This restriction does not apply to U.S. citizens, legal permanent residents (green card holders) or their family members. It remains in effect until terminated by the President. Employers with workers planning to visit the affected countries to obtain new visas or for any other reasons should be aware that they will not be able to return to the U.S. at this time.

**USCIS Appointments:** While USCIS has provided little in the way of guidance to employers with concerns relating to COVID-19, the agency has issued guidance designed to protect their own employees. USCIS has instructed applicants not to attend USCIS appointments if they: (1) have traveled outside the U.S. to any country in the 14 days preceding their appointments; (2) believe they may have been exposed to COVID-19; and (3) are experiencing any flu-like symptoms or otherwise feel ill. Information on rescheduling appointments can be found at this [link](#).

If you have questions or would like to discuss further, please contact John Smart.

## Related Practices

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Immigration

## Practice Area Contact

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