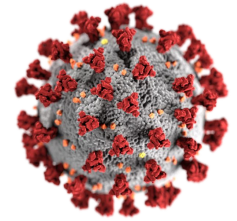
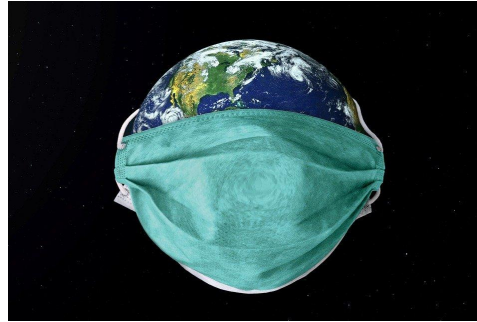
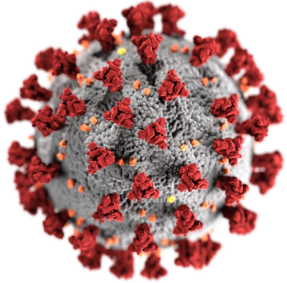
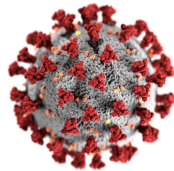


Scholar Visa Sponsorship Options in the Wake of COVID-19



NAFSA Region X Virtual Meeting:
A look at J-1, H-1B, TN, E-3, and O-1 sponsorship



Meet the Presenters

Lucy G. Cheung, Partner, Goldstein and Cheung LLP

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Medical Center**

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Agenda

- J-1 Issues
- H-1B Issues
- TN Issues
- E-3 Issues
- O-1 Issues
- Resources
- Q & A via chat



J-1 Issues

- EVP two month extension
- EVP outreach
- Guidance for Incorrect issuance of \$1200 funds
- Initial document Issues - uncertainty of summer/fall travel and program start dates
- Consular closure issues



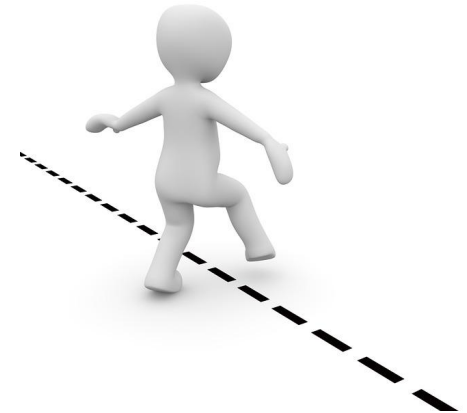
H-1B issues

- Suspension of Premium Processing
- Limited Expedite Option for Doctors, Medical Researchers, COVID-19 related employees
- More scholars switching to this option - Could be FT or PT (flexibility)
- Copies of documentation & electronic signatures being temporarily accepted
- Issues with biometric appointments for Forms I-539/I-539A being submitted for families
- Consular Processing and applying for H-1B entry visas
- Cap-subject H-1B issues and the Cap Gap Extension



TN Issues

- Based on NAFTA treaty - USMCA (new name)
- Specific occupations on the TN list
- Must have the appropriate training/degree/license and/or experience noted in the treaty
- CBP sometimes flexible with requirement
- Effect of closure of US-Canada border - PFI or Border?



E-3 Issues

- H-1B lite
- Requires LCA
- Department of Labor requirements apply (Posting Notice, etc.)
- Easiest to apply for at the Australian Consulates
- Bypassing 212(e) prohibition



0-1 Issues



- The focus is on the applicant/beneficiary
- Must satisfy at least 3 of the listed requirements
- Must have a petitioner, contract, and itinerary (if applicable)
- For an initial period of up to 3 years, one year extension thereafter if with same employer/same project(s)
- Better option for J-1s subject to 212(e) that need to transition to another status (No COS)



Resources

- How to Make an Expedite Request:

<https://www.uscis.gov/forms/forms-information/how-make-expedite-request>

- Update on Visas for Medical Professionals:

<https://travel.state.gov/content/travel/en/News/visas-news/update-on-h-and-j-visas-for-medical-professionals.html>

- NAFSA CBP/DOS Information:

<https://www.nafsa.org/regulatory-information/covid-19-restrictions-us-visas-and-entry>

- Cap Gap Resources:

<https://www.nafsa.org/regulatory-information/practice-advisory-fy-2021-f-1-cap-gap>

Q & A

Please type questions/comments in chat

