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# Immigration Q&A Session

Panel members:

**Carina Hansen**, Director of OIA International Student and Scholars

**Mark Hedien**, Associate General Counsel at Office of Legal Affairs, OSU

Host: Dyas Utomo & Joanna Hodges, PDA International Committee



## Format of this Q&A session

- Panel members will answer questions that were submitted via intake form.
- Questions have been grouped into several visa types and broad issue.
- Similar questions have been merged into one.
- After panel's answers, we can do follow-up questions to clarify or asking more details, but still related to the main topic/question.
- Please type your follow up questions on the zoom chat.
- This session is recorded.

*Disclaimer: we can provide general information on government guidance/policy changes, but can't really dispense legal advice to individuals on their own, individual, immigration situations. Every situation has its own unique complexities, which are often significant, and may require individuals to seek their own legal counsel.*



# **Recent changes or rumors in visa/immigration rules**



# Recent changes in visa / immigration rules

- 1. How F, J, and H1B visas will be affected by current changes?**
2. We heard that Trump plans to ban non-immigrant visa holders (J1, H1B, etc) from re-entering US or renewing their visa in 2020. How accurate is this?
3. Are there any updates from the White House on visa restrictions on the coming months?
4. What should we do to keep updated for those changes?
5. Will some officials notify the affected individuals about their change in legal status?



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# **Entry ban for certain Chinese**

## **F/J visa holders**





## Entry ban for certain Chinese F/J visa holders

- 1. Which specific research fields fall into this restriction rules? Will postdocs in biomedical, e.g. cancer biology, immunology, and chemical physics, be affected?**
2. For current Chinese postdocs in the US, what is the impact of these restriction rules?
3. How this affect the entry of already accepted Chinese grad students?
4. Which Chinese institutions are deemed as “military-civilian fusion”? Is University of Science and Technology of China (USTC) included?



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# J1 visa



## J1 visa

**1. How long can I stay with J1 visa?**

**2. After J1 expires, when should I leave the country?**

3. How soon can I renew DS-2019 before the expiration date?

4. Can I renew J1 visa in the US? What are the risks of doing that?

5. How to waive 2-years home requirement?

6. Can we transfer J1 to H1B? What are the duration, cost, and rejection rate in doing so?

7. I'm in the end of my J1 status. Can I prolong a new DS-2019 form with PI support?

8. I have to go abroad and my visa expires, but visa services in my country have been suspended. What should I do? Can I come back to the US?

9. Is it easy to apply for J2 visa for my family in current situation?



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# H1B visa



# H1B visa

- 1. How long it takes to apply for H1B?**
- 2. Is there a minimum salary requirement for academic H1B visa?**
- 3. Any assistance from OSU to apply for H1B?**
4. If my H1B visa expires, when do I have to leave US?
5. If I change job from postdoc to research associate, do I need to renew H1B?
6. If I need to return to my home country, can I get H1B approval notice quickly from the Office of International Affairs (OIA)?
7. Would it be possible to get H1B extension to complete my NSF-funded project?  
(some kind of “pandemic grace period”)
8. Can OSU advocates postdoc with H1B to remain in status, while new visa is processing?



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# Green card



## Permanent residency (green card)

### **1. I'm in H1B. How early should I apply for green card before H1B expiration?**

- 2. Any assistance from OSU to apply for green card as a postdoc?
- 3. Which types of permanent residency is better for postdoc?
- 4. Criteria for being accepted, e.g. number of publications.
- 5. I'm in the US with H1B visa and my I-140 is approved. My son is abroad. Can I change status to PR simultaneously with my son?
- 6. I'm in J1. Can I apply for EB2-NIW?
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# Thank you