



## OIP

### SPRING 2020 Virtual Advising Sessions

#### FAQ's

**1. My passport is expiring, but the Consulate is closed to the public, what should I do?**

While many consulates are closed to the public, typically, you should still be able to reach them by email. We would encourage to email the consulate directly to see what would be their process and procedure for renewing a passport at this time.

**2. My home government's Ministry of Health is closed due to COVID-19, I need to obtain a Statement of Need for my new fellowship training what can I do?**

According to the ECFMG, the Statement of Need is still a requirement for new residency and fellowship trainings. The ECFMG is aware of the challenges new residents and fellows are experiencing with their Ministries of Health being closed at this time. As of April 7, the ECFMG is allowing for electronic submissions. For more information, please see this communication that went out to Ministry of Health officials: <https://mailchi.mp/75f4ec8b24d5/esons-accepted-from-moh-officials>.

Please note that as of April 23, the ECFMG issued updated guidance on Statement of Need submissions. The ECFMG will now accept Statement of Need letters issued by foreign embassies in the United States if they are permitted to issue them. Here the official announcement: <https://www.ecfm.org/news/2020/04/23/u-s-department-of-state-indicates-additional-flexibility-regarding-statement-of-need-letter-for-j-1-visa-sponsorship/>.

**3. Will you have virtual tax workshops?**

Unfortunately, we had to cancel our regularly scheduled tax workshops due to COVID 19. We have not had an update on virtual tax workshops. As soon as we have new information or new dates, we will inform our international community. The U.S. tax filing deadline has been moved to July 15 instead April 15 due to COVID-19.

**4. How will the presidential executive order regarding a temporary ban on immigration affect internationals?**

Fortunately, the Proclamation is narrow in scope. Effective 11:59pm on April 23, 2020, and for 60 days thereafter, it suspends entry of individuals with *immigrant visas* who are coming to the United States for the *first time* as permanent residents. It does not apply to individuals who are already permanent residents, nor does it apply to individuals seeking adjustment of status who are granted permanent residency and obtain green cards from within the United States. It

also does not apply to *nonimmigrant* visa holders, including H-1Bs, H-2Bs, L-1s, O-1, TNs and E-3s. Certain individuals are exempt from the proclamation, including spouses and children of US citizens, as well as doctors, nurses, healthcare workers and medical researchers engaged in COVID-19 related work.

**Most importantly, at this time the Proclamation does not directly change or impact the nonimmigrant status or the opportunity to seek permanent residency for anyone presently inside the United States.** It only impacts individuals applying for an *immigrant* visa abroad. Individuals seeking *nonimmigrant* visas abroad (including F-1/J-1/H-1B/H-2B/L-1/O-1) should be aware, however, that many US consulates have restricted nonimmigrant visa processing in light of COVID-19 concerns.

[\(Read the entire interpretation by Judy Bordeau here\)](#)

<http://www.kumc.edu/Documents/international/Update%20on%20Presidential%20Proclamation%20Suspending%20Immigration.pdf>

#### **5. Who qualifies for the \$1200 Stimulus Check? Do non-resident internationals qualify?**

The easiest way to check to see if you will be receiving the Economic Impact Payment (aka Stimulus Check) is to use the IRS tool they have created on their website:

<https://www.irs.gov/coronavirus/economic-impact-payments>

The following is a detailed explanation from the IRS regarding tax filing status and the payment

- U.S. resident aliens with a valid SSN are eligible for the Payment if they can't be claimed as a dependent of another taxpayer.
- If you are eligible to file Form 1040 or Form 1040-SR like U.S. citizens for 2019, including by filing a joint federal tax return with a U.S. citizen or U.S. resident alien spouse, file Form 1040 or Form 1040-SR with the IRS for 2019 even if your income isn't enough to require you to file a tax return.
- You don't need to take any action if you already filed a Form 1040 or Form 1040-SR for 2019 or 2018.
- If you are considered a U.S. resident alien for 2020 but not for 2019, you can claim the Payment when you file Form 1040 or Form 1040-SR with the IRS for tax year 2020.

#### **6. Can an H1B visa holder invest in stocks/bonds? Considering that outside employment is prohibited?**

Investments do not count as employment just as your university retirement plan an investment. It is legal to do stock trading, the only thing you need to keep in mind is that you must continue working for your employer who has sponsored your visa in order to maintain your visa.

#### **7. I am an F1 student studying online due to COVID 19. Will this affect my status?**

No, your status will not be affected. SEVP is aware of the current situation and recognizes classes have been moved online as a measure in the best interest of public health. KUMC OIP submitted an update per SEVP's requirement, reporting the campus response to COVID 19.

#### **8. As an H1B visa holder, can I work remotely?**

Yes, there is an allowable amount of time to work remotely from home, which is 60 days. You should have received an LCA notice by email from Irina Aris after you reported your current location. These measures are regulatory and maintain your status. We will update each H1B holder if anything else is needed or changes.

**9. If things don't get back to normal (by September), will my J-1 get extended automatically? I'm at my 5-year max.**

We really don't know at this point. In April we saw the DoS automatically extend some individual statuses, even someone who was at their 5-year limit. We don't know at this point what will happen in September. Hopefully you will be able to go back home if that is your plan. You can plan for this, and we will be monitoring the situation. You should have a definitive answer by August. Also, you always have 30 days after your program end date to remain in the country.

**10. What happens when local restrictions are lifted; where there be guidance issued from the institution?**

The Kansas governor gave guidance on Thursday, April 30<sup>th</sup> regarding the stay-at-home order, which expired May 3. There are three phases, and the advancement of each is considered every 14 days. KUMC as an institution will release travel restriction guidance and further details on repopulating the campus.

**11. If I have a pressing matter and I need to travel in the US, who must I contact?**

We have a travel registration portal on the OIP website that you need to fill out. You may need to self-isolate after you travel, depending on where you have traveled. We are following KDHE guidelines based on exposure and travel.

Here is the link for registering your travel: <http://www.kumc.edu/office-of-international-programs/register-travel.html>

**12. I have a question regarding our visa. Right now our work location is updated to our home address. How long is this valid for?**

According to our lawyer, Judy Bordeaux, for the time being it covers a period of 60 days. Until further guidance is issued, we have made sure that everyone's status is ensured. We will let you all know if further guidance or changes are necessary. There is nothing internationals need to do at this point. For the time being you are in good standing.

**13. I need to travel to get a visa stamp. Is this a good time to be traveling?**

We are advising against international travel because at this point almost all embassies and consulates are not giving visa appointments. We will have a clearer picture of things on travel and renewing visas in the fall.

**14. Does your department issue an O-1 visa? What is the time frame for that?**

Our O-1 Visa petitions are submitted by our lawyer, [Bordeau Immigration Law](#).

There are a lot of requirements in meeting the "extraordinary ability" threshold. The best first step would be to call and make a consultation with her office to discuss it. Please remember that all employment petitions not handled by OIP and all employment based permanent resident petitions must be handled by our university approved immigration attorney, Judy Bordeaux.

**15. My driver's license is going to expire in a month. Can I go to the DMV to get it renewed?**

**Kansas:**

When we called a few Kansas DMV offices, we got the following automated message:

*"Due to current COVID-19 health concerns, all Department of Motor Vehicle offices are closed."*

**Updates:**

Governor Laura Kelly has signed an order extending deadlines for driver's licenses and vehicle registration renewals and regulations during the COVID-19 pandemic. Under the order, all driver's license renewals and vehicle registrations must be completed within 60 days of the order's expiration.

**Missouri:**

Missouri grants 60-day extension for expiring licenses because of COVID-19 outbreak. Vehicle owners with registrations (license plates) expiring in the months of March and April have been granted an automatic two-month extension and will be able to continue operating their vehicles on Missouri roadways without penalty until they can apply for renewal.

\*The new extended deadline to renew March 2020 registrations is May 31, 2020.

\*The new extended deadline to renew April 2020 registrations is June 30, 2020.

Many license offices throughout the state have temporarily adjusted their business operations. Some have chosen to close their doors for an extended period of time, while others are limiting the number of customers in their lobby at one time to ensure social distancing.

Listed below are the offices that are open, but have notified the Department of Revenue about temporary changes. We encourage you to reach out to the license office prior to your visit to ensure they are still accepting customers:

<https://dor.mo.gov/offloc/documents/office-closings.pdf>

Though license offices across the state are beginning to reopen, as of May 1st, the Missouri Department of Revenue is encouraging Missourians to renew vehicle registrations earlier in the month and consider online renewal.

Department of Revenue News Release:

<https://dor.mo.gov/news/newsitem/uuid/3f750975-e0e3-4da4-b8b7-c8ef2ed0e227>

**\*Neither state will impose fines nor assess late fees during the extension window.**