

## **IMMIGRATION NEWS**

### **Department of State & Consulate Updates**

- **Visa Processing Delays Expected During the Summer Season**

Visa applicants, especially those from India and China, are experiencing visa issuance delays (221g or administrative processing delays). These delays are expected to continue and increase during the summer due to the larger number of F-1 and J-1 visa applications. If you plan to travel outside the USA this summer, and will need a visa stamp before returning to the USA, please plan your travel carefully and anticipate that visa issuance may take longer than usual. Remember to contact IES at least two week prior to your travel and complete the Travel Packet Request questionnaire. IES can be reached at [IES@tuhsc.edu](mailto:IES@tuhsc.edu).

- **State Department Proposes New Data Collection Form for Certain Visa Applicants**

The State Department has proposed and asked for "emergency approval" of a new form (DS-5535) to collect additional information from visa applicants "who have been determined to warrant additional scrutiny in connection with terrorism or other national security-related visa ineligibilities." The text of the State Department request is at <https://www.regulations.gov/document?D=DOS-2017-0019-0001>.

If the request is granted, the State Department would collect:

- Travel history during the last fifteen years, including source of funding for travel;
- Address history during the last fifteen years;
- Employment history during the last fifteen years;
- All passport numbers and country of issuance held by the applicant;
- Names and dates of birth for all siblings;
- Name and dates of birth for all children;
- Names and dates of birth for all current and former spouses, or civil or domestic partners;
- Social media platforms and identifiers, also known as handles, used during the last five years; and
- Phone numbers and email addresses used during the last five years.

Public comments are due May 18, 2017. You can read the comments posted, and post your own comment, at

<https://www.regulations.gov/docketBrowser?rpp=50&so=DESC&sb=postedDate&po=0&dct=PS&D=DOS-2017-0019>

## **Department of Homeland Security (USCIS, CBP and ICE) Updates**

- **Cap-Subject H-1B Season Has Ended; TTUHSC is a Cap-Exempt Employer**

Please remember that TTUHSC, like all US colleges and universities, is an H-1B cap-exempt employer. This means that the April rush to get one of the 85,000 H-1B slots available each fiscal year, does not apply to TTUHSC. TTUHSC can file an H-1B petition at any time. Also, if you are working at TTUHSC and want to concurrently work for an H-1B cap-subject employer, you may do so because the cap issues do not apply to you. The cap-subject employer will need to file an H-1B petition, however. Also, be sure to complete the TTUHSC Conflict of Commitment form.

- **H-1B Premium Processing Suspension Affects TTUHSC**

USCIS announced a temporary suspension of H-1B premium processing. The suspension affects all H-1B employers and includes institutions of higher education and state government agencies. The suspension took effect on April 3, 2017 and is expected to last for six months. IES identified all employees affected by the suspension and filed a number of H-1B petitions before the suspension took effect. If you believe the premium processing suspension will affect your employment at TTUHSC or have general questions, please contact IES at [IES@ttuhsc.edu](mailto:IES@ttuhsc.edu).

H-1B petitions filed since the premium processing suspension are being approved within 30 days. IES is hoping this processing timeframe continues as it will minimize the need to request premium processing for H-1B filings.

- **Entry Level Computer Programmer Positions No Longer H-1B Eligible**

On April 3, 2017 USCIS announced that entry level computer programmer positions are no longer eligible for H-1B “specialty occupation” classification. The reasoning is that entry-level positions do not require a bachelor’s degree and the job duties can be completed by persons with a lower degree or on-the-job experience. Human Resources is working now to identify positions that will be affected by this change in policy and will contact departments and international employees to discuss visa options. If you believe your position may be affected by this change, please contact IES at [IES@ttuhsc.edu](mailto:IES@ttuhsc.edu).

## **International Employment Services Reminders & Updates**

- **Traveling?** Remember to email IES at [IES@ttuhsc.edu](mailto:IES@ttuhsc.edu) and request a Travel Packet. IES will provide you with the original approval notice (except for EAD employees) and an Employment Verification Letter that satisfies US consulate visa issuance and Customs & Border Protection (CBP) admission requirements. The Travel Packet also has information about applying for a visa stamp; administrative delays and IES assistance with consulate and CBP issues.