



February 11, 2020

February 2020 Immigration Alert

The Coronavirus and Its Impact on Those Traveling from China

On January 31, 2020, in response to the novel coronavirus (2019-nCoV) outbreak, the Trump administration, through Secretary of Health and Human Services Alex Azar, announced a temporary ban on foreign nationals entering the United States if they had visited China during the 14-day period preceding their entry or attempted entry into the United States. The ban began on February 2, 2020, at 5 p.m. (EST).

The following categories of individuals are exempted from the temporary travel ban:

- U.S. citizens
- Permanent residents (aka “green card holders”)
- Foreign diplomats traveling to the United States on A or G visas
- Certain family members of U.S. citizens or permanent residents, including spouses, children (under the age of 21), parents (provided that the U.S. citizen or lawful permanent resident is unmarried and under the age of 21), and siblings (provided that both the sibling and the U.S. citizen or lawful permanent resident are unmarried and under the age of 21)
- Crew traveling to the United States on C, D, or C-1/D visas
- Anyone traveling from Hong Kong or Macau

Companies may see the travel ban affecting their foreign national employees who traveled to China as of February 2, 2020. Foreign national employees who are not exempted from the travel ban as per the list above, and were or are in China as of February 2, 2020, will not be able to return to the United States for the foreseeable near future.

U.S. citizens and green card holders who were in China's Hubei Province within 14 days of their U.S. entry may be required to undergo a mandatory quarantine upon their arrival in the United States. U.S. citizens and green card holders coming from other mainland China areas may undergo U.S. Customs and Border Protection ("CBP") screening.

As of February 4, 2020, CBP will route all flights from China to only the following U.S. airports for coronavirus screening:

- Chicago O'Hare International Airport (ORD), Illinois
- Dallas/Fort Worth International Airport (DFW), Texas
- Daniel K. Inouye International Airport (HNL), Hawaii
- Detroit Metropolitan Airport (DTW), Michigan
- Hartsfield-Jackson Atlanta International Airport (ATL), Georgia
- John F. Kennedy International Airport (JFK), New York
- Los Angeles International Airport, (LAX), California
- Newark Liberty International Airport (EWR), New Jersey
- San Francisco International Airport (SFO), California
- Seattle-Tacoma International Airport (SEA), Washington
- Washington-Dulles International Airport (IAD), Virginia

Please also note that the U.S. Consulate in Guangzhou is canceling immigrant visa appointments as of February 3, 2020, and has not mentioned when it will reschedule those appointments.

Update on Rollout of USCIS's FY 2021 H-1B Cap Electronic Registration Tool

The U.S. Citizenship and Immigration Services ("USCIS") [provided additional details](#) regarding the rollout and implementation dates of the fiscal year ("FY") 2021 H-1B cap lottery. The timeline is as follows:

February 18, 2020: Legal representatives of companies may begin creating their myUSCIS H-1B registrant accounts on the MyUSCIS website link.

February 24, 2020: Employers may begin creating their own MyUSCIS H-1B registrant account on the MyUSCIS website link.

March 1, 2020: Starting at noon (EST), employee names may be entered into the MyUSCIS H-1B registrant account.

March 20, 2020: Employee names may no longer be entered into the MyUSCIS H-1B registrant account after noon (EDT).

March 20, 2020, to March 31, 2020: USCIS will conduct a lottery on the registrations.

March 31, 2020: USCIS will notify selected registrants by this date.

April 1, 2020: For those registrations selected by USCIS, full H-1B petitions under the new cap year should be filed within 90 days of this date.

For more information about USCIS's announcement of its new H-1B Electronic Registration Tool for the upcoming FY 2021 H-1B cap, please see Epstein Becker Green's [December 2019 Immigration Alert](#) and [January 2020 Immigration Alert](#).

USCIS Issues New I-9 Form

As of January 31, 2020, USCIS has updated its Form I-9 for all U.S. employers to use in verifying their employment population. The new edition of Form I-9 is dated 10/21/19. All employers should be using this version going forward. However, employers may still use the previous edition, dated 07/17/17—but only until April 30, 2020. Starting May 1, 2020, only the new 10/21/19 version of Form I-9 may be used to verify either newly hired employees or re-verify current employees who have expiring work authorizations on or after that date.

USCIS Reopened Comment Period for Proposed Filing Fee Increases

On January 24, 2020, USCIS reopened its public comment period regarding proposed petition filing fee increases that were published in the Department of Homeland Security's [proposed rule](#) dated November 14, 2019. USCIS originally closed the comment period on December 30, 2019. However, the agency subsequently extended the comment period to February 10, 2020. Now that the comment period has ended, USCIS will review the comments and decide whether to implement the fee changes. We will let you know when and how much those fees will increase.

Further Increased CBP Screening Regarding People of Iranian Descent

As [we announced](#) last month, CBP has increased its scrutiny of travelers of Iranian decent reentering the United States from Canada, including U.S. citizens. As a follow-up, there have also been reports of Iranians being denied F, J, and M visas or, if such visas were issued, having those visas subsequently revoked or being denied entry into the United States by CBP under those visas. Such visas were exempt from the travel ban issued by the Trump administration's Executive Order 13780. As a result, we again are advising companies with employees of Iranian decent or nationality to have such employees avoid travel outside the United States at this time, if possible.

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If you have any questions regarding this Alert or any other U.S. immigration issues, please contact Epstein Becker Green's immigration team:



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