

GLOBAL IMMIGRATION UPDATE

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Feature Article

IMMIGRATION AND TRAVEL-RELATED IMPLICATIONS OF THE CORONAVIRUS PANDEMIC: AN

OVERVIEW – This article provides an overview of policies and procedures related to the novel coronavirus/COVID-19 outbreak in various countries, as of late March. The situation is rapidly evolving day by day, so readers are advised to check reliable sources frequently for updates.

Country Updates

CANADA – The Québec immigration department is closing a month-long consultation period with stakeholders on four questions intended to revamp a fast-track immigration stream leading to permanent residence in Canada for francophone foreigners living in Québec.

COLOMBIA – Several updates have been announced with respect to reform of entry permits, investing in Colombia, and a new special permit for Venezuelans.

SCHENGEN AREA – A new Schengen code regulation came into force.

UNITED KINGDOM – There have been changes in the Immigration Health Surcharge fee and in the minimum Tier 2 salary for Indefinite Leave to Remain applications.

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IMMIGRATION AND TRAVEL-RELATED IMPLICATIONS OF THE CORONAVIRUS PANDEMIC: AN OVERVIEW

This article provides an overview of policies and procedures related to the novel coronavirus/COVID-19 outbreak in various countries, as of late March. The article includes brief updates on European Union Member States and the U.S. borders with Canada and Mexico, followed by country-by-country summaries. The situation is rapidly evolving day by day, and many countries are escalating restrictions on travel, borders, airports, and ports. Before traveling, check with the country of destination and the airline about what measures are being enforced.

European Union Member States

EU Member States have implemented various measures and restrictions for coping with the coronavirus crisis. A link to each country's website with travel advice and indications, as of March 18, 2020, is at <https://www.mazzeschi.it/mazzeschi-asiadesk/wp-content/uploads/2020/03/travel-advice-list.pdf>. See also <https://ec.europa.eu/transparency/regdoc/rep/1/2020/EN/COM-2020-115-F1-EN-MAIN-PART-1.PDF>

U.S. Borders with Canada, Mexico

President Trump and Canadian Prime Minister Justin Trudeau agreed to close the U.S.-Canada border as of March 18, 2020, to "non-essential traffic," such as recreation and tourism, for an indefinite period. President Trump tweeted that "[t]rade will not be affected," and workers who live on one side and work on the other are expected to continue traveling across the border for work. Similarly, the United States and Mexico are limiting nonessential travel across the border, with exceptions.

More information:

- Washington Post, "Trump, Trudeau Agree to Close U.S.-Canada Border to 'Nonessential' Traffic," https://www.washingtonpost.com/world/the_americas/trump-trudeau-us-canada-border-coronavirus/2020/03/18/90a27da8-6924-11ea-b199-3a9799c54512_story.html
- The Guardian, "Trump Announces U.S.-Canada Border Traffic Closed to 'Nonessential' Traffic," <https://www.theguardian.com/us-news/2020/mar/18/us-canada-border-closed-non-essential-traffic>
- Washington Post, "Americans, Canadians Scramble to Get Home Before Border Largely Shuts Down," https://www.washingtonpost.com/world/the_americas/americans-canadians-scramble-to-get-home-before-border-largely-shuts-down/2020/03/20/bd997a20-6a4e-11ea-b199-3a9799c54512_story.html
- U.S.-Mexico border restriction notice, <https://s3.amazonaws.com/public-inspection.federalregister.gov/2020-06253.pdf>
- Al Jazeera, "U.S. Border Closings," video news report, https://www.youtube.com/watch?v=qdv8ga_IP48

Country-by-Country Summaries

Canada

The Canadian government, in line with its "speed over perfection" approach, adjusts and revises travel policies on a daily basis. The situation remains fluid, with many moving parts. Note that all individuals returning to Canada must self-isolate for 14 days, regardless of citizenship.

The following is effective as of Friday, March 27, 2020:

It is still unclear at the moment how and if visa-exempt workers, who would normally apply for their work permits directly upon arrival, will be allowed to travel to Canada. The situation for pre-approved individuals and those holding valid documents has been clarified:

- Students who have valid study permits or an IRCC pre-approval letter ("letter of introduction") dated March 18, 2020, or before, may travel to Canada by land or air.
- Workers with valid work permits or pre-approval letters from IRCC ("letter of introduction") may travel to Canada, regardless of industry.
- New workers who will be employed in critical industries such as agriculture, food processing, health, transportation and emergency services may also travel to Canada.
- Individuals whose permanent residence has been approved and who hold a Confirmation of Permanent Residence (COPR) issued on or before March 18, 2020, may also travel to Canada in order to activate their permanent residence. They must show the COPR upon boarding the plane.
- Transit through Canadian airports is still allowed, provided the individual is not seeking to be admitted to Canada.
- Canadian citizens with dual or multiple citizenship may exceptionally travel back to Canada on their foreign passports, provided they obtained an email from IRCC granting them special authorization.
- Anyone, regardless of citizenship, returning from abroad must self-isolate for 14 days. Canadians being repatriated and landing at one of the four airports receiving international flights (Montreal, Toronto, Calgary and Vancouver) and who need to take a domestic connecting flight will be quarantined at one of the airport hotels for 14 days, before being allowed to embark on a plane to their final Canadian destinations. Accommodation and food will be provided by the government.
- Severe penalties such as fines and prison sentences have been established under the *Quarantine Act* for anyone violating it. Foreign workers, students, and permanent residents could become criminally inadmissible if convicted of one of the more severe offenses under the *Quarantine Act*.

Immigration-related services in Canada are provided by various provincial and federal administrations, such as Service Canada; Immigration, Refugees and Citizenship Canada (IRCC); and provincial governments such as the Québec Ministry of Immigration. As companies were forced this week to transition to remote work and only "essential" services were allowed to stay open, all government offices have had to adjust quickly to allow their personnel to work remotely. Depending on the administration, some immigration processes still rely heavily on paper-based submissions.

So far, the following adjustments have been announced:

IRCC:

- Permanent Residence and Citizenship applications can still be sent in hardcopy to IRCC, as their processing center in Sydney remains open.
- Hardcopy submissions for visitor records, study permits, and work permits are discouraged and should be done online.

Service Canada:

- Most agents are working remotely.
- Service Canada will allow employers increased flexibility in reporting changes to working conditions (e.g., wage fluctuation, temporary layoffs).
- Submissions for Labour Market Impact Assessments (LMIA) can now be submitted by email, in addition to fax.
- 12- and 24-month reviews for Labour Market Benefit Plans are suspended.
- On-site compliance inspections are suspended.

Québec Ministry of Immigration (MIFI):

- 95% of their personnel works remotely.
- MIFI is expected to announce measures to streamline their operations regarding paper submissions soon.

Anticipated Developments

Clarification is awaited on the following elements:

- Will IRCC emulate France, Australia, and New Zealand's initiative and automatically extend status documents by 3-6 months?
- Will MIFI allow electronic signatures and electronic submission of applications?
- Service Canada is discussing labor mobility for in-Canada workers on closed work permits. Will workers be allowed to move and/or change employers more easily?
- Will Service Canada ease recruitment requirements for LMIAs?

The following was effective as of Friday, March 20, 2020:

U.S.-Canada Land Border

- All "non-essential" travel across the land border is prohibited. This includes, among others not yet defined, travel for tourism and recreation.
- Exceptions exist for supply-chain workers to guarantee continued supply of goods, fuel, and medication in Canada and the United States, as well as for travel for essential work.
- In the latest announcements, it was confirmed that individuals with valid work permits and study permits *may* also travel back to Canada.
- No "flagpoling" for any visitor, foreign worker, or foreign student already in Canada. They must apply online to extend or modify their status.
- This measure does not include or apply to returning Canadian citizens, permanent residents (PR), and First Nations, including their non-Canadian/non-PR/non-First

Nations family members. Family members include spouses and common-law partners, as well as dependent children and their dependent children.

Air Travel to Canada

Airlines must deny boarding to certain travelers. The following is a summary:

- All symptomatic persons, regardless of citizenship, and any foreign visitor traveling for non-essential purposes, will be denied boarding on airlines.
- The following groups of people will be allowed to board, along with their family members (see definition above): Canadian citizens, Canadian permanent residents, First Nations, and Members of the Canadian Forces, provided they are asymptomatic.
- Also allowed to travel by plane: flight crew members, diplomats, Canadian forces on official travel, and persons specifically authorized by Canadian consular officers, the Minister of Health, the Minister of Foreign Affairs, the Minister of Citizenship and Immigration, the Minister of Public Safety, and the Chief Public Health Officer.
- Valid work and study permit holders are also allowed to board a flight to Canada, subject to whether they are asymptomatic.
- It is unclear whether individuals who have not yet activated their work or study permits will be allowed to board. It is likely that airlines will not allow boarding to avoid noncompliance with Canadian regulations and potential fines.
- Travel by plane for essential work in Canada is also allowed, but it is recommended to heavily document the necessity to travel, as airlines may be reluctant to allow boarding in practice.

Immigration attorneys recommend that temporary workers and students whose status expires in the next 6 months may wish to submit an application for renewal online, and remain in Canada for the foreseeable future and avoid all travel abroad, as they may face complications when re-entering Canada.

Imminent changes to the border closure policy:

- Contrary to what was announced recently, U.S. citizens and individuals who have been residing in the United States in the past 2 weeks will no longer be able to travel to Canada by land or air for tourism or recreational purposes.
- It appears that U.S. citizens with work permits to Canada will continue to be allowed into Canada, but will have to abide by the 14-day self-isolation period upon their admission.
- Essential travel remains allowed to protect trans-border supply chains.

The following best practices are recommended for Canadian employers and foreign workers:

- As noted above, work or study permit holders should remain in Canada. If they exit the country, there is a possibility that they may not be able to re-enter Canada.
- Companies should review the expiration dates of all their temporary foreign workers (SIN starting with a 9). Processing times for in-Canada renewals are currently already at 89 days, and will likely increase further due to increased volume of applicants from inside Canada, and lower staffing at Immigration Canada.

- Renewals should be initiated well in advance. Submitting a renewal application 6 months before the expiration date is recommended.
- Layoffs of foreign workers may affect their immigration status, capacity to remain in Canada and renew their work permits, and companies' ability to use the Temporary Foreign Worker Program in the future. Companies should attempt to re-hire laid-off personnel, including foreign workers, as soon as they are able to.
- Companies that have received Labour Market Impact Assessments (LMIA) usually must ensure that the subsequent work permit based thereon be activated within 6 months. In light of the current economic situation, the Canadian government has announced that companies can delay the arrival of the foreign worker, and the activation of the work permit, up to 9 months after LMIA issuance.
- Many service providers who are essential to Canadian immigration applications—for instance, who issue police clearance certificates, provide immigration medical examinations, offer language testing in English and French, and issue educational credential evaluations—have temporarily ceased their operations. Immigration Canada said it will consider deadline extensions on a case-by-case basis. Notably, biometrics can now be completed in 90 days instead of 30, even if the templated biometrics letter states 30 days.

Colombia

Colombia is restricting entry by all passengers who are not Colombian residents or citizens. Colombian citizens and foreign residents who arrive must perform an obligatory 14-day period of self-isolation after arriving in Colombia.

Additional developments include:

- Maritime, land, and river borders are closed until May 30, 2020.
- Visa applications will not be processed at Colombian consulates.
- President Duque has declared a National Emergency. Anyone age 70 or older must self-isolate until May 30, 2020. The order allows senior citizens to leave their homes for essential errands in supermarkets, banks, and pharmacies.
- Airports are closed to international traffic. Flights are still leaving Colombia, but disruptions and cancellations are highly likely.
- The Colombian government published a further decree putting the entire country on lockdown. The nationwide quarantine aims to "flatten the curve" of the expansion of COVID-19 among the population, especially the most vulnerable.
- The Ministry of Foreign Affairs will accept visa applications for processing and electronic approval but will not make visa stamps in the passport.
- Migración Colombia will suspend the deadlines for canceling special stay permits (PEP), and the expiry of the authorized stay for holders of entry and stay permits for "other activities" (POA), other than for Shore Pass and maritime or river crew. Likewise, the immigration authority may abstain from initiating administrative action or grant an opportunity for amendment under preventive isolation measures for those cases in which visa registration and the issuance of a foreigner's ID card (*cédula de extranjería*) is required.

There have been 608 confirmed cases of the novel coronavirus in Colombia as of March 28, 2020.

France

The Ministry of Interior announced a three-month validity extension of residence permit documents expiring between March 16 and May 15, 2020, including long-stay visas, residence permits, provisional residence permits, asylum application certificates, and receipts for residence permit applications. This measure applies only on national territory. It is recommended that those with expired residence permits not leave France.

The borders of the Schengen Area remain closed during the 30-day period that began March 17, 2020. Non-European nationals will not be able to enter during this time. See https://www.karlwaheed.fr/wp-content/uploads/2020/03/client_alert_26032020_v1.pdf

Hong Kong

As the impact of the COVID-19 outbreak continues to expand across the globe, international immigration lawyers find themselves in various stages of the crisis management lifecycle, having to advise clients and companies with business travel and immigration needs.

This short update summarizes some of the special directives of the Hong Kong government to contain the spread of the virus and the impact on immigration law practitioners.

Hong Kong is requiring compulsory quarantine for 14 days for all persons, regardless of nationality, entering from all jurisdictions except for Macau, Taiwan, and mainland China. After the 14 days of home quarantine, those persons will be subject to another 2 weeks of medical surveillance.

In addition, the government has closed all but three border checkpoints: the airport, the Shenzhen Bay Bridge, and the Hong Kong-Zhuhai-Macau Bridge. Flights from China have been greatly reduced, and cross-border rail connections as well as cross-border ferries have also been suspended.

Impact on Operations of the Hong Kong Immigration Department

The Hong Kong Immigration Department (HKID) is now reopened for all services after a period when all government employees were advised not to go to the office but to work from home, except for staff of departments providing emergency services and essential public services such as urgent extension of visa applications and passport applications and renewals. All other services were suspended, including new applications for employment visas, change of sponsor, non-urgent applications for extension of stay, Hong Kong Identification Card appointments, and collection of approved visas.

While the HKID has reopened, new employment visa applications and applications for change of employment sponsor and non-urgent applications for extension of stay will be delayed because of a backlog of existing applications and a large number of new applications. Employers therefore should be prepared for a delay in their employees' start of employment.

Certificate of No Criminal Conviction Office

The Hong Kong Police Force's Certificate of No Criminal Office has implemented the following measures to reduce the number of people gathering at the office.

- Applicants are encouraged to make an appointment through the Online Booking System or through the auto-telephone answering system at 2396-5351.
- In addition, there will be 60 places for applicants without appointment by the distribution of discs, which are distributed at 8:45 a.m. each day. Those allocated a disc should return to the office for processing of their application at the designated time slot on the same day stated on the disc.
- Applicants are advised to wear masks, and their body temperature will be checked before entering the office. Those who have fever or respiratory symptoms will be told to leave.
- As a result of reduced personnel during the government policy of not requiring non-essential employees to go to the office, the processing of Hong Kong Police Certificates for those seeking to immigrate will likely be delayed.

High Court Registry Services

Many Citizenship By Investment programs require documents such as birth certificates, marriage certificates, divorce certificates, and affidavits not only to be notarized but also legalized by the Hong Kong High Court Registry through an apostille stamp in accordance with the Hague Convention. These services had been curtailed completely for a period of time as the High Court Registry had temporarily closed for such services.

The High Court Registry Office has now reopened and legalizations of documents are being processed routinely.

U.S. Consulate Operations

As of March 19, 2020, the U.S. Consulate General in Hong Kong and Macau has suspended all routine immigrant and nonimmigrant visa services. The consulate said it will resume routine visa services as soon as possible but is unable to provide a specific date. There is no fee to change an appointment, and visa application fees are valid for one year.

To reschedule an immigrant visa appointment, use the Visa Inquiry Form at <https://hk.usconsulate.gov/visas/visa-inquiry-form/>

To request an emergency nonimmigrant visa appointment for immediate travel to the United States for medical reasons, funerals, urgent business travel, or urgent exchange visitor (J-1) or student (F-1) travel, use the Visa Inquiry Form at <https://hk.usconsulate.gov/visas/visa-inquiry-form/>

U.S. Citizen Services, such as applications for passports or registering for a consular report of birth of a U.S. citizen abroad, continue to be available by appointment.

Other Neighboring Regions

Macau

The Macau government has introduced temperature screening at all border checkpoints, including the airport, land crossings, and ferry terminals. All inbound travelers must complete a health declaration form upon arrival. Ferry services between Hong Kong and Macau are suspended.

On February 20, 2020, the Macau government began enforcing medical checks for tourists who have been to areas with a high incidence of the novel coronavirus within a 14-day period. The Macau government has also established processing centers at the Macau

Federation of Trade Unions Workers Stadium and the Taipa Ferry Terminal to screen passengers for symptoms of COVID-19.

Tourists whose medical check results meet the requirements of the Health Bureau will be allowed to continue their trip. Those who do not meet the Health Bureau requirements may be subject to compulsory quarantine in addition to criminal prosecution in accordance with local law. Individuals who have been to South Korea are subject to a 14-day observation in quarantine at a designated venue in Macau. The costs of quarantine in designated hotels will be borne by the individuals themselves.

Philippines

On February 2, 2020, President Rodrigo Duterte issued a temporary travel ban on visitors from China, Hong Kong, and Macau to curb the spread of the coronavirus.

Taiwan

Taiwan restricts Hong Kong and Macau travelers from entry until a 14-day home or hotel quarantine passes upon landing in Taiwan.

In addition to an earlier decision to ban Mainland Chinese nationals from entering Taiwan, Taiwan has also imposed restrictions on Hong Kong and Macau citizens traveling to Taiwan and has raised a travel alert for both cities to Level 2, according to the island's Center for Disease Control (CDC). Foreigners who have been in mainland China over the past 14 days are also banned from entering Taiwan.

Foreign nationals seeking to enter Taiwan for special reasons can apply for an entry visa as long as they have not visited or stayed in mainland areas severely affected by the coronavirus outbreak, including Hubei, Guangdong, and Zhejiang provinces, according to the Foreign Ministry.

These persons must provide documents of their travel history in the past 14 days, a health certificate, and various other paperwork.

Taiwan has also suspended the issuance of entry permits on arrival and online processing of entry permits for Hong Kong and Macau residents.

Italy

Following the recent outbreak of coronavirus cases in the North of Italy, parts of the country have limited access in and out of some areas, as well as particular restrictions on work and public activities. Extraordinary health measures have been implemented in Italy and across Europe.

The validity of all permits, authorizations, certificates, clearances with an expiration date between January 31, 2020, and April 15, 2020, has been extended until June 15, 2020. As a consequence, residence permits (*permessi di soggiorno*) with an expiration date between January 31, 2020, and April 15, 2020, will be valid until June 15, 2020. Applications for renewal can therefore be applied for until after 60 days from June 15, 2020.

The validity of Italian identification documents (e.g., identity cards, passports) expiring March 17 or later is extended until August 31, 2020.

In addition, all applications pending as of February 23, 2020, or filed after that date are suspended in the period between February 23, 2020, and April 15, 2020. This means that

any applications that have been filed during this period will not be processed between February 23, 2020, and April 15, 2020.

Travel To and Within EU Countries

As noted above, EU Member States have implemented various measures and travel restrictions. See the links at the top of this feature article for more information.

30-Day Suspension Permit of Stay Procedures (*permesso di soggiorno*)

On March 2, 2020, the Italian government published a Law Decree, effective immediately, containing measures to support families, workers, and companies with respect to the COVID-19 outbreak (Law Decree 2 March 2020, n. 9). In the effort to employ as much public staff as possible to control the current health situation, the Italian government suspended the issuance of permits of stay for 30 days (starting March 2) but has also temporarily suspended the terms to file permit applications for a period of 30 days (initial permits must be filed within 8 days from entry; extensions at least 60 days before expiration).

Obligations to file applications within the deadline above are lifted due to the 30-day suspension, and non-EU nationals who may not be able to meet the deadlines due to public offices' unavailability will not incur any consequences. Strong delays in issuance of permits, and in general in all immigration-related procedures, are expected.

See <https://www.mazzeschi.it/news/italy-30-day-suspension-permit-of-stay-procedures-permesso-di-soggiorno/>

National Travel Restrictions

Emergency Measures Extended Nationwide

On March 9, 2020, the Italian government published a decree extending restrictive measures to the entire country in an effort to contain the spread of COVID-19 across Italy. New measures implemented in the "Red Zones" (areas most affected) only a day ago are now applied nationwide. Italy is now on lockdown, with the new "I stay at home" Decree, limiting all social activities, with all public events and indoor activities (e.g., concerts, fitness centers, theaters) suspended/closed. Schools and universities will remain closed until April 3. Restaurants and bars can only be open until 6 p.m. and must follow strict health guidelines (e.g., maintaining a safe distance between people) or will be fined.

Individuals who are quarantined or test positive for the virus are forbidden to leave their homes and to travel. Travel is allowed only for documented work, health, or other serious reasons. Those traveling outside their region or city can do so only out of serious necessity. It is mandatory to provide a signed self-certification on the reason for travel. The required self-certification can also be signed before a police officer, who can provide the required form. At the airport, travelers must show not only the travel document but also the signed self-certification. Individuals landing in Italy must declare the reason for travel upon entry.

The government has published some guidelines and FAQs. An English translation is at <https://www.mazzeschi.it/2020/03/11/faq-on-the-iorestoacasa-decree-of-9-march/>. See also <https://www.mazzeschi.it/news/italy-new-decree-introduces-covid-19-related-measure/>

Travelers Leaving Italy

For Italian citizens or individuals traveling from Italy, many countries are enforcing a travel ban, and mandatory or voluntary quarantine. The restrictions change day by day. Before

traveling, check with the country of destination and the airline about what measures are being enforced.

Travelers Arriving in Italy

As of late March, there was no travel ban or mandatory quarantine on incoming travelers, but:

- All incoming travelers (even for internal flights) are subject to temperature checks.
- Travelers must submit a declaration confirming the purpose of their visit and the countries they have visited.
- On discretion of the authorities, they may be asked to do a 2-week quarantine at their domicile.

Flight Cancellations

Most airlines have suspended or canceled flights to and from Italy for the entire month of March and beginning of April. Those restrictions change day by day; it is advisable to check with the country of destination and the airline regarding what measures are being enforced.

Health Measures

The government has closed down schools and most businesses, including a number of administrative and governmental offices such as local police offices or post offices. Some governmental offices have adopted limited access and working hours to avoid risks and contamination. All schools and universities are closed until April 3 and closure can be extended. All sports events and public gatherings have been banned. Restaurants and bars must stay closed, as well as all businesses and retail stores, with the exception of grocery stores, pharmacies, tobacco shops, and newsstands (keeping the appropriate safe distances)

People can travel between cities only for emergency reasons and can face fines and up to 3 months in jail for breaking quarantine rules. Those who have to leave their region or their city out of serious necessity can do so only if they have self-certification stating that they must cross the borders for compelling business or health reasons, or because they have to return home.

What happens if non-EU nationals overstay their visa, or—for non-visa nationals (like USCs), their 90-day allowances?

There have been reports from non-EU nationals who, due to flight cancellations or the risk of being quarantined upon arrival, cannot return to their countries and will be overstaying their visas or 90-day allowances (for non-visa nationals). Both the Schengen Visa Code, which applies in all Schengen countries (e.g., Germany, France, Spain, Netherlands, Poland), and Italian immigration law have provisions that allow individuals to extend their stay if they cannot leave the country for reasons of *force majeure*.

With respect to the Schengen Visa Code, according to the Schengen rules, a short-term visa can be issued for a stay of a maximum 90 days in 180 days, allowing the holder to be in the Schengen countries for the period indicated in the visa. Normally the holder must leave the Schengen area when the visa expires, but in some circumstances it is possible to request an extension of an issued visa.

Article 33 of the Schengen Visa Code provides that if someone is unable to leave before his or her visa expires for reasons of *force majeure*, humanitarian reasons, or serious personal reasons, he or she can request an extension of the Schengen visa.

The request for an extension of the visa is to be addressed, before the visa expires, to the authorities of the Schengen State where the holder is, even if the visa was not issued by that state consulate. In Italy, the request must be addressed to the local police office (*Questura*). In this case the extension must be mandatorily granted (while if the extension is requested for business reasons, the authority to which it is submitted has discretion).

See <https://www.mazzeschi.it/2018/08/09/grounds-for-extension-of-short-term-schengen-visas/>

With respect to Italian immigration law, normally it is not possible to convert a short-term stay (for tourism/business) into a permit directly in Italy (an exception being family reasons). However, when the foreigner cannot or does not want to return to the country of provenance for reasons related to an exceptional unsafe situation (for instance, Chinese nationals who did not or could not return to China because of the COVID-19 outbreak), he or she should consider applying for a temporary residence permit for "calamity" reasons (Article 20-bis of Italian immigration law). Such a permit can be issued when the country to which the foreigner should return has a situation of contingent and exceptional calamity that does not allow a safe return and stay. The permit is valid for 6 months, can be renewed for an additional 6 months, and allows the foreigner to work. However, it cannot be converted into a permit for work allowing a longer stay.

See <https://www.mazzeschi.it/news/emergency-grounds-for-extending-your-stay-in-italy/>

Useful Links:

- <http://www.viaggiasesicuri.it/home>
- "Viaggiare Sicuri" is part of the Italian Ministry of Foreign Affairs (also called Farnesina), and functions as its crisis unit, leading operations and communications among all government institutions in Italy and all over the world. It operates in times of emergency to keep Italian citizens informed and protected: <http://www.viaggiasesicuri.it/home>
- <http://www.protezionecivile.gov.it/home>
- Department of Civil Protection, Presidency of the Council of Ministers. In charge of coordinating policies and dealing with safety and protection strategies in case of emergency: <http://www.protezionecivile.gov.it/home>
- Department of the Italian government in charge of public order, safety, and defense. Contains updates on Italian policies regarding coronavirus: <https://www.interno.gov.it/it>
- Italian Department of Health – in charge of national policies and institutions dealing with health. Contains helpful information on COVID-19 and health measures to fight the infection: <http://www.salute.gov.it/portale/home.html>
- World Health Organization (WHO) – useful tips and recommendations for international traffic: https://www.who.int/ith/2019-nCoV_advice_for_international_traffic-rev/en/
- WHO – Coronavirus Highlights: https://www.who.int/docs/default-source/coronaviruse/situation-reports/20200301-sitrep-41-covid-19.pdf?sfvrsn=6768306d_2
- See also <https://www.mazzeschi.it/2020/03/11/faq-on-the-iorestoacasa-decree-of-9-march/>; <https://www.mazzeschi.it/2020/03/04/covid-19-summary-for-foreigners-and-travelers-in-italy/>; <https://www.mazzeschi.it/news/italy-new-decree-introduces-covid-19-related-measure/>

Peru

Recently, the Supreme Government Administration of Peru enacted some provisions to prevent and control coronavirus spread in the country. A summary of selected highlights is below.

1. By **Ministerial Resolution N° 055-2020-TR**, signed by the Minister of Labor, the "Guide for the Prevention of Coronavirus (COVID-19) in the Labor Area" has been approved, with which specific guidelines are provided to employers, so that within the framework of their responsibilities, they comply with the proper containment and care of cases of diagnosed or suspected coronavirus in the workplace.

Related links:

<https://www.gob.pe/institucion/minsa/campañas/699-conoce-que-es-el-coronavirus>
<https://www.gob.pe/8371-ministerio-de-salud-que-son-los-coronavirus-y-como-protegerse>
<https://www.gob.pe/8663-ministerio-de-salud-como-prevenir-el-coronavirus>
<https://www.gob.pe/8662-ministerio-de-salud-coronavirus-en-el-peru>

Communication and Information Measures: The HR offices, with the Committees or Supervisors of Occupational Safety and Health, must prepare a Communication Plan referring to the measures to be adopted by the company; prepare and disseminate messages based on official MINSA information and informative talks; and enable information points, among others.

Control Measures: Workers who have cold symptoms and report that they have been in contact with people who were diagnosed as having suspected, probable, or confirmed cases of coronavirus or who, 14 or fewer days before, visited areas at risk of transmission of this virus, according to the official list of countries with reported cases of COVID-19 on the MINSA website, are instructed to go to the nearest public or private medical center to have a medical evaluation or call the MINSA toll-free line, 113.

Likewise, workers should comply with the preventive measures adopted by the employer, attend corresponding training, use personal protection elements, and proceed responsibly to implement prevention and control measures.

Measures for organizing work activities are determined as well, among them telework (*teletrabajo*), using information technologies and telecommunications, and taking into account the nature of the activity or function performed by the worker under the Telework Law and Its Regulations, in case it could be applicable.

2. By **Supreme Decree N° 008-2020-SA**, a Declaration of Sanitary Emergency has been established nationwide for 90 calendar days and dictates prevention and control measures for COVID-19.

Within a period not exceeding 72 hours, by means of a Supreme Decree, the MINSA must approve the Action Plan and the list of goods and services required to be contracted to face the health emergency.

Various prevention and control measures to prevent the spread of COVID-19 have been established, including sanitation and migration controls, quarantines, restrictions on activities or events that involve the concentration of people in ways that increase the risk of transmission, and preventive health measures.

3. By **Urgency Decree N° 025-2020**, urgent and exceptional measures have been enacted to strengthen the System of Surveillance and Sanitary Response with respect to coronavirus in the Peruvian territory.

With regard to "*Teletrabajo*," special rules and norms will be established in the public and private sectors.

These legal norms will be in force until December 31, 2020.

4. By **Supreme Decree No. 008-2020-MTC**, flights coming from Europe and Asia, and from the Peruvian territory to such destinations, are suspended for a period of 30 calendar days from March 16, 2020. This term may be extended by Ministerial Resolution issued by the Peruvian Ministry of Transport and Communications, based on information from the health authority and taking into account the evolution of the pandemic.
5. By **Supreme Decree No. 044-2020-PCM**, on **March 15, 2020**, a State of National Emergency was declared in Peru due to the serious circumstances affecting the nation's citizens' lives as a result of the pandemic. The State of Emergency was decreed for 15 calendar days, until March 30, 2020.

The National State of Emergency established a compulsory social isolation quarantine.

The temporary and total closure of the borders was decreed as well, suspending the international transport of passengers by land, air, sea, and river, among other regulations.

Before that occurred, passengers entering Peruvian territory had to comply with a compulsory social isolation (quarantine) of 15 calendar days.

6. By **Urgency Decree N° 026-2020**, on March 15, 2020, several temporary and exceptional measures were established to prevent the spread of the virus in the Peruvian territory, including the ability granted to employers in the public and private sectors to modify the worksites of their staff to implement remote work (e.g., a home office) and its particular characteristics.
7. On March 16, 2020, an **Official Communication** was issued by the Peruvian Immigration Authority (MIGRACIONES) with which the public was informed about the suspension of operations for a period of 15 calendar days due to the National State of Emergency in the country.

As of late March, MIGRACIONES' offices are closed during the emergency period and no services are available to the public.

8. By **Supreme Decree No. 046-2020-PCM**, on March 18, 2020, clarifications were made regarding the legal dispositions indicated in item #5 above, specifically regarding the "limitation to the exercise of the right to freedom of movement of persons," initially decreed, in the sense of intensifying these measures to control the expansion of the coronavirus. In short, a "curfew" (compulsory social immobilization) was imposed in the country from 8 p.m. until 5 a.m. every day during this emergency period.

Private vehicles are no longer allowed to be driven on public roads, except for authorized people who provide essential services and goods (as established by law).

9. On March 21, 2020, MIGRACIONES has authorized the rescheduling of appointments related to administrative procedures and services once the State of Emergency has ended, as well as the suspending of administrative deadlines and fines with regard to migratory regularization, among other provisions established by the Superintendence Resolution No. 000104-MIGRACIONES, issued in the official gazette, "El Peruano."

Russia

Visas and work permits for foreigners staying in Russia will be extended. A related official letter from the Internal Affairs Ministry has been released. All air travel has been suspended between Russia and foreign countries, except for evacuation of Russian citizens from

abroad. All public events are banned until April 10, 2020. Schools, universities, and other educational institutions' work is suspended until April 12, 2020.

Starting March 25, 2020, the following categories of foreign citizens and stateless persons can cross the Russian border despite the border block:

- Diplomats and consular workers, other officials;
- Persons with ordinary private visas, issued in connection with the death of their close relative. A death certificate will be required as well as a document confirming the family connection;
- Family members (spouses, parents, children, adoptive parents, adopted children), other caretakers of Russian citizens, entering the Russian Federation, provided they present an ID document, visa, or enter in visa-free mode, plus a document confirming the family connection; that is, foreign citizens will be able to cross the Russian border if they are traveling with their family members who are Russian citizens;
- Foreign citizens who have permanent residence permits in Russia; and
- Persons transit-traveling through air border checkpoints in Russia without crossing the Russian border.

The official letter, № 1/2964, "On additional measures for prevention of coronavirus infection (2019-nCoV)," was sent to the field on March 19, 2020. According to the letter, territorial divisions of the Internal Affairs Ministry are ordered to:

- On the application of foreign nationals who entered Russia based on visas, extend their existing visas for up to 90 days regardless of the purpose of visit and visa type. In cases where the visa has expired, the foreigner's stay will be extended for up to 90 days based on the person's written application. Subsequently, they will be issued transit visas to exit the country;
- On the application of foreign citizens who entered Russia without visas or based on international agreements on short-term visa-free travel, as well as in cases where the allowed period of stay has expired, extend the foreigner's period of temporary stay in Russia for up to 90 days based on the person's written application. Subsequently, they will be issued transit visas to exit the country;
- In cases where visa or non-visa foreigners lack migration cards, process duplicates along with their address registration applications (without an extended or even a valid visa);
- Allow those who wish to exit Russia to receive an exit visa;
- Not apply administrative punishments to these people related to deportation, administrative removal, or readmission for migration law violations.

Foreign citizens whose stay in Russia will be extended will be photographed and fingerprinted.

If Internal Affairs Ministry officials identify foreigners who are in Russia illegally, they will be told that they must legalize their status and will be given appropriate information on how to do it. Administrative sanctions will not be applied.

The official letter also orders territorial divisions of the Internal Affairs Ministry to:

- Continue accepting, processing, and issuing the following types of migration documents for foreigners who are staying in Russia at the moment:

1. Corporate Work Permits;
 2. Work Permits;
 3. Patents (without the need to cross the Russian border in case a 2-year stay period is over, without any administrative sanctions);
- Temporary Residence Permit (TRP) and Permanent Residence Permit (PRP):

If these documents expire or are close to expiration, extend the applicant's stay in Russia for up to 90 days based on the foreigner's application. Issuance of PRPs (extended) will be done irrespective of the existing PRP expiration date as well as in cases where the PRP has already expired;

- Annulments:

Work permits, TRP, PRP, and certificates of participants in state programs for the return of compatriots to Russia, will not be annulled even after the expiration of the 6-month term of a person's stay abroad if the document holder cannot enter Russia.

Details of procedures described above, processing times, and lists of the required documents will be soon confirmed with the Internal Affairs Ministry Migration Department.

Turkey

The Interior Ministry issued a press release with the following information.

Germany, Spain, France, Austria, Norway, Denmark, Sweden, Belgium, Holland—For these countries, in which the coronavirus is spreading, the Interior Ministry shared a Circular with various authorities indicating that:

1. Passenger entries from these countries to Turkey are being stopped through all border gates (*Tüm hudut kapıları* – see below).
2. Citizens of these countries, and of third countries who have been in these countries within the last 14 days, will not be permitted to enter Turkey.
3. There will not be any restrictions on exiting Turkey for the nationals of these countries.
4. Turkish nationals' travel to these countries has been temporarily suspended.
5. Regarding the countries that were "taken" (very unclear meaning) according to the procedures and principles determined by the Ministry of Health outlined for China, Iran, Iraq, South Korea, and Italy, inspection, control, and 14-day surveillance and quarantine operations will be followed when necessary.

Reference: <https://www.icisleri.gov.tr/81-il-valiligi-ve-hudut-idare-mulki-amirliklerine-genelge>

Note: The phrase *Tüm hudut kapıları* means all entry points via land, air, railway, and sea, according to the Ministry of Commerce website: <https://www.ticaret.gov.tr/gumruk-islemleri/gumruk-idareleri/hudut-kapilari/hudut-kapilari-genel-bilgiler>

As of March 17, 2020, the following countries' flights to Turkey are also now banned:

England, Switzerland, Saudi Arabia, Egypt, Ireland, and the United Arab Emirates. The number of countries for which Turkey bans flights has increased to 20.

See <https://www.sozcu.com.tr/2020/gundem/son-dakika-saglik-bakani-kocadan-yeni-corona-aciklamasi-5682606/>

Migration Directorate restrictions: The Migration Directorate, which oversees residence permit adjudication, Temporary Protection Status, and other immigration applications, has begun to limit applications. Unfortunately, the specifics are not yet clear. It appears that appointments in Istanbul may now be canceled without notice.

Ministry of Foreign Affairs restrictions: Turkish consular posts around the world are so far responding in various ways to the virus. Checking for the most up-to-date status for posts is imperative. In general, posts are either:

1. In full operation;
2. Only allowing visa filings by post or bonded courier (i.e., no in-person applications); or
3. Restricted to limited appointments or fully closed to visa services.

Ministry of Labor restrictions: A posted notice at the main gate of the MOL states that the Public Relationships Department was closed until further notice. This means that attorneys will not be able to enter the MOL building to make queries in person on work permit cases. All queries will need to be by phone, which is not particularly effective, according to reports.

There also appears to be a slowdown on the progress of adjudications, as seen via the online system. Cases appear to be taking longer to move through the steps of processing, from upload to officer review to adjudication. Anticipate longer timelines.

Useful links for travel to Turkey amid the pandemic period:

- See International Airport Transport Association-IATA country-by-country English language alerts. Countries can be easily added to this list, so check for updates. <https://www.iata.org/en/programs/safety/health/diseases/government-measures-related-to-coronavirus/>
- Turkish Airlines air travel restrictions on boarding and reservation changes (check for updates): <https://www.turkishairlines.com/en-int/announcements/coronavirus-outbreak/index.html>

United Kingdom

There is still a lack of clarity in terms of visa applications being submitted around the world and in the United Kingdom (UK).

Attorneys are urging UKVI and the Home Office to update its guidance of February 27, 2020, to provide greater clarity. In the meantime, below are updates.

Visa Application Centers Around the World

Many application centers are still open for those individuals who wish to submit visa applications. As expected, however, there are a number of closures and interruptions to the usual service standards. These include:

- **Asia Pacific:** Due to closure of the Manila regional visa hub, there are currently no priority services for applicants applying in, for example, Australia, New Zealand, South Korea, Singapore, and Hong Kong.

- **USA:** All non-premium biometric application service centers ASCs operated by USCIS in the United States are closed. The Premium Application Centers (PACs) all remain open for the time being, except for the PACs in Seattle and San Francisco, which are currently closed.
- **Europe:** All TLS contact centers are closed for UK visa applicants.
- **UK:** Sopra Steria application centers in the UK remain open for the time being. There have been reports of closures at some locations for certain application types (e.g., local libraries and councils).

Sponsored Workers

- **Tier 2 workers with 30-day entry visas who are unable to travel:** Where the visa holder cannot travel within the 30-day entry visa period, they must normally obtain a fresh visa and attend a biometric appointment abroad. Attorneys have asked for this to be waived and for those whose BRPs have been issued to be able to travel to the UK when they are able to do so without the need for a new visa.
- **Tier 2 visa holders: remote working and reporting:** The Home Office confirmed that where a sponsored worker is required to work from home as a result of coronavirus, the sponsor is not required to report a change of work location.
- **Ending the employment of sponsored workers:** Where sponsors are considering ending sponsored workers' employment, contact your Alliance of Business Immigration Lawyers attorney for advice. A report would need to be made to the Home Office and the individual would then have a period of curtailed leave in order to try to regularize their UK immigration status.
- **Absences and Indefinite Leave to Remain (ILR):** There have been queries about the effect of absences on ILR, particularly from staff stuck outside the UK. At present, guidance for absences over the 180 days permitted under Tier 2 allows excess absences resulting from natural disaster and for those involved in humanitarian rescue operations overseas. This guidance is expected to be updated to include coronavirus-related issues with traveling and returning to the UK. The best advice at present is to ensure that Tier 2 holders keep clear evidence of why they were unable to return, such as the lack of flights, national government edicts preventing local and international travel, or medical advice against travel.

Other Issues

- **Those with visas expiring in the UK:** Chinese nationals and those normally resident in China have in some circumstances had their visas automatically extended to March 31, 2020. Extensions may well be required for others who have imminently expiring visas.
- **Right-to-work (RTW) checks:** For new starters who have just arrived in the UK where the office is closed, remote working is in place or, where the person is having to self-isolate, there may be issues with completing RTW checks. Alternatives are available:

Details and more information: <https://www.kingsleynapley.co.uk/insights/news/immigration-update-coronavirus>

CANADA—Québec

The Québec immigration department is closing a month-long consultation period with stakeholders on four questions intended to revamp a fast-track immigration stream leading to permanent residence in Canada for francophone foreigners living in Québec.

The topics the Québec government is consulting on are:

1. Which eligibility criteria should the immigration department apply in their selection of workers and students intending to fast-track their permanent residence?
2. How can immigrants be encouraged to settle outside the urban centers?
3. Should the selection criteria prioritize experience gained in Québec, or immigrants whose profile match the labor market needs, or both?
4. How can "overqualification" be avoided? Should graduates become eligible for fast-track permanent immigration only after 1 year of work experience, and should the work experience have been obtained in their field of study, or at a level that matches their qualification?

The Québec immigration department had been heavily criticized for having attempted to overhaul the fast-track immigration process without public consultations in the fall of 2019, and had been forced to withdraw their bill.

Details:

- Consultation sur le Programme de l'expérience québécoise (PEQ), <http://www.mifi.gouv.qc.ca/fr/dossiers/consultation-peq.html>
- Québec government's Consultation Guide, http://www.mifi.gouv.qc.ca/publications/fr/dossiers/DOC_consultation.pdf

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COLOMBIA

Several updates have been announced with respect to reform of entry permits, investing in Colombia, and a new special permit for Venezuelans.

Reform of Entry Permits

As of December 1, 2019, Resolution 3167 of 2019 issued by Migración Colombia is effective. This resolution establishes new guidelines for the entry, stay, and departure from the national territory of nationals and foreigners. The new resolution reorganizes the entry and stay permits (PIP) in three categories, which will allow foreigners of unrestricted nationalities to enter the country not intending to establish a domicile or profit, for short periods. The length of stay of PIPs will vary according to each category.

See <http://www.tannus.co/en/reform-of-entry-and-residence-permits/>

Investing in Colombia

The Colombian government decided to increase the legal monthly minimum wage (SMMLV) by 6% in 2020, which means that it is equivalent to \$877,803 Colombian pesos (about \$260 USD) per month. Those companies that wish to obtain visas for foreign personnel that require proof of solvency must take into account that the amounts contemplated in the immigration regulations and requested by the authorities are calculated in minimum wages. This is why, in cases where

bank statements, certificates of incorporation and representation, among others, must be presented, such documents are expected to reflect the values requested, taking into consideration the corresponding adjustment for 2020, under penalty of receiving requirements or inadmissibility of the visa applications submitted.

See <http://www.tannus.co/en/keep-in-mind-when-investing-in-colombia/>

New Special Permit for Venezuelans

The Colombian government has continued simplifying the immigration regulations for Venezuelan nationals so they can continue to enter and regularize their immigration status in the country. Among the measures established by the Ministry of Foreign Affairs is the possibility of their entering, transiting, and leaving the national territory, even if the Venezuelan passport has expired.

See <http://www.tannus.co/en/new-special-permit-for-venezuelans/>

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SCHENGEN AREA

A new Schengen code regulation (Regulation (EU) 2019/1155 of the European Parliament and of the Council of 20 June 2019 amending Regulation (EC) No 810/2009 establishing a Community Code on Visas) came into force February 2, 2020.

This reviewed regulation applies to all third-country nationals who need a visa for intended stays in the territory of the European Union (EU) Member States not exceeding 90 days in any 180-day period.

The regulation sets forth the procedures and conditions for issuing Schengen visas. The following general principles apply:

- The Member States must act in full compliance with EU law and according to its general principles and decisions when applying this regulation.
- The Member States must take the decisions under this regulation on an individual basis.
- The application procedure should be as easy as possible for applicants.
- The relevant Member State to resolve an application must be clearly identifiable.
- The Member States must promote electronic processes, including electronic submission, interviews, and signatures when available.
- Deadlines should be established for each step of the process to allow applicants to plan ahead.
- Frequent or regular travelers (among other categories, business people, artists, and athletes) complying with the regulation might benefit from multiple-entry visas with longer periods of validity.

Benefits

As a result of the new regulation, the Schengen visa application process is expected to be much more flexible, allowing electronic procedures when possible, allowing submission of applications within the 6 months before the visit (instead of within 3 months as established before), and permitting the resolution of the application as a matter of urgency in justified cases, even if it was not submitted at least 15 days before the trip.

Another benefit of the regulation, together with flexibility, is the clarity about authorities in charge of the application (when different countries will be visited) and about processing times.

Finally, certain categories of visitors who need to travel regularly to the Member States can now obtain visas with longer duration, provided they have complied with the applicable regulation.

The increase in the processing fee (up to 80 euros) may be reasonable if the process becomes as flexible and efficient as expected by this modification.

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UNITED KINGDOM

There have been changes in the Immigration Health Surcharge fee and in the minimum Tier 2 salary for Indefinite Leave to Remain applications.

Immigration Health Surcharge fee increase: The latest budget includes an increase in the Immigration Health Surcharge (IHS) for overseas nationals to use the National Health Service. It was only 2 years ago that the IHS fee doubled to £400 per year of the visa, and now it is set to increase to £624 per year of the visa. The government had announced its intention to increase the IHS fee in November last year. The new fees will apply to non-European Union (EU) citizens starting in October 2020 and to EU citizens starting in January 2021.

As has previously been the case, those with student or Tier 5 (Youth Mobility Scheme) visas will pay a lower charge of £470 per year of the visa. There is a small concession under the new IHS fee arrangements in a lower charge for children under 18 of £470.

Minimum Tier 2 salary for ILR applications: In a number of rule changes announced recently, the Home Office has confirmed a freeze on the increase in minimum salary requirements where sponsored Tier 2 (General) workers are applying for Indefinite Leave to Remain (ILR). The current minimum is either £35,800 or the minimum expected amount for the type of job, whichever is higher. That amount was due to increase to £36,200 on April 6, 2020, but the new announcement confirms the government will be following the advice of the Migration Advisory Committee which, in its report of January 28, 2020, recommended a freeze on this threshold while the policy for ILR applications is considered.

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New Publications and Items of Interest

Alliance of Business Immigration Lawyers:

- The latest immigration news is at <http://www.abil.com/news.cfm>.
- The latest published media releases include:
 - ABIL Says Proposed Change to Public Charge Rule Would Exclude Immigrants from Government Programs:
https://www.prweb.com/releases/abil_says_proposed_change_to_public_charge_rule_would_exclude_immigrants_from_government_programs/prweb15737932.htm
 - New Data Show Increase in H-1B Denials and RFEs:
https://www.prweb.com/releases/new_data_show_increase_in_h_1b_denials_and_rfes/prweb15673632.htm
 - ABIL Urges Administration to Change "Buy American and Hire American" Executive Order: <http://www.prweb.com/releases/2018/05/prweb15485457.htm>
 - ABIL Member Kuck Baxter Immigration Commercial Nominated for an Emmy:
<http://www.prweb.com/releases/2018/05/prweb15485460.htm>
 - ABIL Members Note Immigration Threats for Employers in 2018:
<http://www.prweb.com/releases/2018/03/prweb15261255.htm>
- ABIL is available on Twitter: @ABILImmigration.

- Recent ABIL member blogs are at <http://www.abilblog.com/>.

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ABIL Member/Firm News

Dagmar Butte (bio: <http://www.abil.com/lawyers/lawyers-butte.cfm?c=US>) was quoted by Forbes in "Critics Charge Slow Immigration Processing Nets USCIS Billions in Fees." Ms. Butte noted, "Particularly in change of employer cases or amendments due to a new work location, [premium processing is] a necessity. While under the law, the employee can, in theory, go to a new employer or location upon filing, the rising denial rates mean there is a great deal of risk to the employee if he or she moves prior to an approval." The article is at <https://bit.ly/38uscCz>.

Leslie Ditrani, of **Chin & Curtis LLP**, was quoted by Law360 in "Visa Issues Abound as Firms, Consulates Close for COVID-19." Ms. Ditrani said an attorney at the firm had a client get a visa approved, but the consular office in London closed before they could get the necessary stamp. She said she would advise any client to follow the law and request a new labor condition application when required, such as if an H-1B specialty occupation worker has to move to a new location due to COVID-19 issues. But with the government requesting extra evidence for nearly half of H-1B petitions in the first quarter of fiscal year 2020, subjecting an immigration request to new scrutiny can carry its own risks, she noted. "Someone might be trying to do the right thing by posting because it's more than 50 miles and then amending, and then find themselves with [a Request for Evidence] or even a denial," she said. Disruptions in workplace functions could also make it difficult for employers and immigrants to meet filing deadlines and remember administrative requirements. "If someone is concerned about their health and being quarantined, it's hard to wrap your head around the complex and nuanced rules regarding immigration status," Ms. Ditrani noted. The article is at <https://www.law360.com/articles/1253720/visa-issues-abound-as-firms-consulates-close-for-covid-19>.

Klasko Immigration Law Partners, LLP, will host its 16th annual spring seminar on Wednesday, April 22, 2020. All professionals in the field of employment-based immigration are invited to attend to learn the latest hot topics and trends in employment-based immigration from the industry-leading immigration lawyers at Klasko. For details or to register, see <https://www.klaskolaw.com/event/klasko-2020-annual-spring-seminar/>.

Klasko Immigration Law Partners, LLP, has published a blog posting, "Coronavirus Considerations for H and L Status Employees." The coronavirus (COVID-19) has been dominating news stories across the globe. Many employers are making preparations or recommendations to staff members to work from home, particularly those returning from travel. How will these work-from-home directives affect H and L status employees who have specific worksite requirements? The blog is at <https://bit.ly/2vGCuCh>.

Charles Kuck (bio: <http://www.abil.com/lawyers/lawyers-kuck.cfm>) was quoted by Law.com in "Lawyers Push for Change to Immigration Court Amid COVID-19 Concerns." Mr. Kuck said that he is planning to wear protective gloves and wipe down his chair and table with sanitary wipes the next time he attends a hearing, but "[y]ou need bond hearings to continue." He said he thinks the government should release to detained immigrants who are not a danger to the community. "You certainly want people to have an opportunity to have their day in court, without waiting the next three to six months for COVID-19 to pass." The article is at <https://www.law.com/texaslawyer/2020/03/18/lawyers-push-for-change-to-immigration-court-amid-covid-19-concerns/>.

Mr. Kuck was interviewed by Global Atlanta in "Immigration Limbo: How Trump's COVID-19 Bans and Border Measures Are Affecting Foreign Travelers, Workers." The article is at <https://www.globalatlanta.com/immigration-limbo-how-trumps-bans-and-border-restrictions-are-affecting-foreign-travelers-and-workers/>.

Mr. Kuck has released a podcast in the #ImmigrationHour series. "The S. 386 Lee Betrayal" is at <https://soundcloud.com/user-474250731/the-s386-lee-betrayal>.

Cyrus Mehta (bio: <http://www.abil.com/lawyers/lawyers-mehta.cfm>) was quoted by *Forbes* in "Trump Immigration Official Entered Illegally." He identified four additional USCIS policy changes that can potentially be challenged in light of Judge Moss's ruling: (1) changes in residence requirements for transmitting U.S. citizenship to children living overseas, especially children of U.S. government employees overseas; (2) removing means-tested criteria to the fee waiver grounds, especially as they relate to naturalization applicants; (3) closing USCIS international offices; and (4) filing I-407s for abandonment at a designated USCIS office in Vermont rather than at a U.S. consulate. Mr. Mehta said he believes there may be additional policies that can be challenged. The article is at <https://www.forbes.com/sites/stuartanderson/2020/03/02/trump-immigration-official-entered-illegally/#c6669951287b>.

Mr. Mehta has authored several new blog postings. "Immigration Attorneys on the Frontlines in the COVID-19 Crisis" is at <http://blog.cyrusmehta.com/2020/03/immigration-attorneys-on-the-frontlines-in-the-covid-19-crisis.html>. "How USCIS Can Remain True to Its Mission by Exercising Compassion During the COVID-19 Period" is at <http://blog.cyrusmehta.com/2020/03/how-uscis-can-remain-true-to-its-mission-by-exercising-compassion-during-the-covid-19-period.html>. "How Interpol Red Notices Allow Abusive Foreign Governments to Manipulate and Undermine the Integrity of Immigration Proceedings in the United States" is at <https://bit.ly/2xpjGYJ>.

Angelo Paparelli (bio: <http://www.abil.com/lawyers/lawyers-paparelli.cfm>) provided responses in "Expert Q&A: COVID-19 and Immigration," published by Thomson Reuters Practical Law. The Q&A is at [https://content.next.westlaw.com/w-024-5004?isplc=true&transitionType=Default&contextData=\(sc.Default\)&firstPage=true&bhcp=1](https://content.next.westlaw.com/w-024-5004?isplc=true&transitionType=Default&contextData=(sc.Default)&firstPage=true&bhcp=1).

Mr. Paparelli was quoted by Bloomberg Law's *Daily Labor Report* in "Immigration Attorneys Ask Agencies for No-Contact Solutions." He said, "Our outdated system of immigration law was already as complex as a Rube Goldberg contraption. This is a complete sea change of challenges." The article is at <https://news.bloomberglaw.com/daily-labor-report/immigration-attorneys-ask-agencies-for-no-contact-solutions>.

Mr. Paparelli was quoted by Law360 in "Visa Issues Abound as Firms, Consulates Close for COVID-19." Mr. Paparelli noted that he had a client who managed to pick up an approved visa the day before the local consular office closed. Mr. Paparelli called on the government to postpone deadlines to extend people's visa status until the agency can process requests, as it did in the wake of September 11, 2001, when the government automatically extended the legal status of people on temporary visas if they were affected by the terrorist attacks. "Strict compliance endangers lives," he said. The article is at <https://www.law360.com/articles/1253720/visa-issues-abound-as-firms-consulates-close-for-covid-19>.

Rodrigo Tannus (bio: <http://www.abil.com/lawyers/lawyers-tannus.cfm?c=CO>) was recognized by Best Lawyers in Colombia in Corporate Immigration Law.

Wolfsdorf Rosenthal LLC has published several new blog postings. "Key Takeaways from USCIS' Public Engagement on EB-5 Inventory Management" is at <https://wolfsdorf.com/blog/2020/03/13/key-takeaways-from-uscis-public-engagement-on-eb-5-inventory-management/>. "European Travel Ban" is at <https://wolfsdorf.com/blog/2020/03/12/european-travel-ban-client-alert/>.

Stephen Yale-Loehr (bio: <http://www.abil.com/lawyers/lawyers-loehr.cfm?c=US>) was quoted by The Real Deal in "Could a Pandemic Bring EB-5 Back to Life?" Commenting on a proposal to scale up the EB-5 program as part of a stimulus package for the U.S. economy. "Desperate times call for innovative solutions. This could be one way to jumpstart the economy," Mr. Yale-

Loehr said. The article is at <https://therealdeal.com/2020/03/24/could-a-pandemic-bring-eb-5-back-to-life/>.

Mr. Yale-Loehr was quoted by the *New York Times* in "Appeals Court Allows 'Remain in Mexico' Policy to Continue Blocking Migrants at the Border." He said, "It is very likely that the Supreme Court will grant the administration's request to halt the Ninth Circuit's original decision to suspend the policy." The article is at <https://www.nytimes.com/2020/03/04/us/migrants-border-remain-in-mexico-mpp-court.html>.

Mr. Yale-Loehr was quoted by CNN in "Supreme Court Rules Against an Undocumented Immigrant Fighting State Prosecution." Mr. Yale-Loehr said, "'What's sauce for the goose is sauce for the gander,'" noted Stephen Yale-Loehr, an immigration professor at Cornell Law School. "If the Supreme Court rules that the federal government no longer has sole responsibility for regulating immigration, lower courts may uphold pro-immigrant or sanctuary or noncooperation policies enacted by states and localities." The article is at <https://www.cnn.com/2020/03/03/politics/supreme-court-immigration-garcia-kansas-decision/index.html>.

Mr. Yale-Loehr was quoted by CNN in "Supreme Court to Consider Rights of Some Asylum Seekers." He said the case discussed in the article is important because it "squarely raises constitutional issues. Here the Court must decide whether newly arrived immigrants have the same right to challenge their detention in federal court as U.S. citizens. Mr. Yale-Loehr noted that nearly half of all removals from the United States occur through expedited removal. "If the Court holds that the Constitution applies to arriving immigrants, the number of such deportations will surely decrease," he said. The article is at <https://www.cnn.com/2020/03/02/politics/supreme-court-rights-of-asylum-seekers/index.html>.

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