SFSU

H-1B/U.S. Permanent Residency Workshop

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Overview 2017

- Immigration 101
- Transition from F-1 Student to Work Visas
- Green Card Strategies
- Obtaining a Visa at US Consular Post Abroad
- Strategies for the Undocumented
- Trump Administration Initiatives
- Question & Answer
Immigration 101

What Part of Legal Immigration Don't You Understand?

Mike Flynn and Shikha Dalmia
Illustrated by Terry Colon

Opponents of illegal immigration are fond of telling foreigners to "get in line," but that doesn't actually look like, and how many years or decades does it take to get through? Try yourself!

**UNITED STATES CITIZEN**

Are you the mother, parent, brother, sister, or fiancé of an American citizen? Yes. Congratulations! Your family can apply for a green card.

Are you at least 21 years old, and have no children or siblings in the country? Yes. Your parents can apply for a green card.

Are you at least 21 years old, and have children or siblings in the country? Yes. Your parents can apply for a green card.

No. Your parents cannot apply for a green card.

**LAWFUL PERMANENT RESIDENT**

Are you the spouse or child of a lawful permanent resident? Yes. Your family can apply for a green card.

Are you at least 21 years old, and have no children or siblings in the country? Yes. Your parents can apply for a green card.

Are you at least 21 years old, and have children or siblings in the country? Yes. Your parents can apply for a green card.

No. Your parents cannot apply for a green card.

**THEREFORE, WHAT YOU NEED TO KNOW**

- **Visas Made Easier 2017**
- **Time to Immigrate and Become a Citizen: 1 to 21 years**
- **Time to Immigrate and Become a Permanent Resident: 2 years**
- **Start the Process**
  - **Make an Appointment**
  - **Submit Application**
  - **Wait for Interview**
  - **Get Yearly Work Authorization**
  - **Become a Citizen**

**NOTES**

- **Visa Interview**
- **Application Form**
- **Supporting Documents**
- **Interview Questions**

**CONTACT INFORMATION**

For further information, please visit: [Visa Website]

**REFERENCES**


[If you need help determining your eligibility, please consult a qualified immigration attorney.]

[chart: Immigration Process]

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[chart: Immigration Process]

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(please refer to the original source for more detailed information.)
Key Immigration Concepts:

- citizen vs. alien
- legal vs. illegal
- nonimmigrant vs. immigrant
- visa vs. status
The visa is the U.S. entry document issued by the U.S. Department of State that is either stamped or pasted in the individual's passport. The visa stamp bears the name and date and place of birth of the individual. The visa also indicates the non-immigrant status of an individual and is valid during the validity period noted on it. Other restrictions may be noted on the visa stamp.
F-1 Foreign Student OPT

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H-1B visa

the most common hiring tool for foreign nationals
Leading Occupations of Arriving H-1B Workers

- Computer-related: 25.0%
- Others: 19.6%
- Managers: 6.5%
- Medicine & health: 7.7%
- Administrative specializations: 13.5%
- Education: 13.6%
- Architecture, engineering, & surveying: 14.1%
Country of Origin of Arriving H-1B Workers

- China: 11.4%
- India: 20.4%
- Philippines: 6.4%
- United Kingdom: 4.1%
- Korea: 3.8%
- Japan: 2.9%
- All other: 43.4%
H-1B Filing Window Opens

April 1

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H-1B Lottery

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Only “Specialty Occupations” require BA/BS visas made easier 2017
H-1B jobs must REQUIRE not prefer degree visas made easier 2017
H-1B Visa Alternatives

E-3 Australian H-1B

J-1 practical trainee

O-1 extraordinary worker

TN Canadian professional

L-1 intra-company transferee

E-2 treaty investor / employee
Getting a “Green Card” – Permanent Residence

- **Labor Certification – Shortage of Americans**
- **Intra-Company Transfer on Permanent Basis**
- **Extraordinary Individuals; Researchers**
- **US$1MM investment creating 10 new jobs**

- **Relative Visa Petitions – Immediate / Distant**
Coming to America

Biometrics for visa applicants & ESTA for Waiver

214b Presumption of Immigrant Intent [but H & L]

DS-160 Online Visa Application Form

SAO Security Advisory Opinions [delay]
Country Blacklist

Old Group of 7: State Sponsors of Terrorism

- Iran
- Iraq
- Syria
- Libya
- Cuba
- North Korea
- Sudan

NSEERS Group of 26: Extra Scrutiny

Bangladesh, Egypt, Indonesia, Jordan, Kuwait, Pakistan, Saudia Arabia, Afghanistan, Algeria, Bahrain, Eritrea, Lebanon, Morocco, North Korea, Oman, Qatar, Somalia, Tunisia, United Arab Emirates, Yemen, Iran, Iraq, Libya, Sudan, Syria, Cuba

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Total Legal Immigration by Year: 1900-2005

Legalized Aliens
### Foreign-born Population by Legal Status, 2008

<table>
<thead>
<tr>
<th>POPULATION</th>
<th>millions</th>
<th>percent</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total foreign born</strong></td>
<td>39.9</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Legal immigrants</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Naturalized citizens</td>
<td>14.2</td>
<td>36%</td>
</tr>
<tr>
<td>Legal permanent resident aliens</td>
<td>12.3</td>
<td>31%</td>
</tr>
<tr>
<td>Legal temporary migrants</td>
<td>1.4</td>
<td>4%</td>
</tr>
<tr>
<td><strong>Unauthorized immigrants</strong></td>
<td>11.9</td>
<td>30%</td>
</tr>
</tbody>
</table>


Source: *A Portrait of Unauthorized of Unauthorized Immigrants in the United States, Pew hispanic Center Report, April 14, 2009*
Trump Administration Initiatives

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