San Francisco State University
San Francisco, CA March 6, 2020

SFSU
H-1B Professional Visa
U.S. Permanent Residence “Green Card”

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Overview 2020

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

Key Immigration Concepts:

• citizen vs. alien
• legal vs. illegal
• nonimmigrant vs. immigrant
• visa vs. status
Sample Nonimmigrant Visas

- 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
H-1B visa

The most common hiring tool for foreign nationals
Leading Occupations of Arriving H-1B Workers (FY 2016)

- Computer Related: 70.4%
- Architecture, Engineering, & Surveying: 7.5%
- Administrative Specializations: 5.7%
- Education: 4.8%
- Medicine & Health: 3.8%
- Mathematics and Physical Sciences: 1.7%
- Others: 6.2%
Country of Origin of Arriving H-1B Workers (FY 2016)

- India 74.2%
- China, People's Republic of 9.3%
- Philippines 1.1%
- South Korea 1.0%
- Canada 1.0%
- United Kingdom 0.6%
- Others 12.8%
H-1B Visa Petitions Approved, FY1994 – FY2014

Figure 2. Total H-1B Petitions Approved, FY1994-FY2014

Source: CRS presentation of data from the DHS Office of Immigration Statistics (OIS) and its predecessor in the Immigration and Naturalization Service.
H-1B Blind Lottery
PreRegistration March 2020
H-1B Filing Window Opens for October 1 Employment
Only “Specialty Occupations” require BA/BS
H-1B jobs must REQUIRE not prefer degree
Alternatives to H-1B visa

- E-3 for Australians (H-1B lookalike)
- J-1 Practical Trainee
- L-1 Intra-company Transferee
- TN Canada or Mexico Professional
- O-1 Outstanding Individual
- E- Treaty Investor or Trader / Employee
Getting a “Green Card”
Permanent Residence

• PERM 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]
• In-Flight Pre-Inspection Investigation
Total Legal Immigration by Year: 1900-2015
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