International Students

Immigration
Work Visa & Green Card Options
Available After Student Status

Career Development Resource Guide

Gustavus Adolphus College
Immigration Options After Student Status

- Work Visa & Green Card Options
  - Available After Student Status / Completion of initial 12 months of OPT
  - Available After Student Status / Completion of STEM Extended OPT
OPT STEM Extension

STEM Extended OPT Issues

- How to Find E-Verify Employers

- New STEM OPT Extension for 24 Months
  - Study in the States: “STEM OPT Hub”
Find OPT STEM E-Verify Employers

myvisajobs.com E-Verify Employer Search Tool:

USCIS E-Verify Employer Search Tool:
http://www.uscis.gov/e-verify/about-program/e-verify-employers-search-tool
“STEM OPT Hub” New!
STEM OPT Extension Rules

https://studyinthestates.dhs.gov/stem-opt-hub
# New! STEM OPT Extension Rules

[https://studyinthestates.dhs.gov/stem-opt-hub](https://studyinthestates.dhs.gov/stem-opt-hub)

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New!

STEM OPT Extension Rules

Click Here: OPT STEM Extension Playlist
Work Visa Options: Available After Student Status

- F-1 Student: In School
- F-1 Student: Graduation
- F-1 Student: OPT
- No Longer a Student: WORK VISA
- GREEN CARD
Generic Process / Generic Visa Choices
Not Country Specific

F-1 Student: In School → F-1 Student: Graduation → F-1 Student: OPT → No Longer a Student: WORK VISA

Look for Jobs That Qualify You for Many Work Visas

Know Your Work Visa Options EARLY (to guide your job search)

WORK VISA TYPES
* H-1B / “LOTTERY”
* H-1B
  * “NO LOTTERY”
* G-Visa
* R-1
* L-1A / L-1B
* E-3
* TN
* E-1 / E-2
* O-visa
* P-visa
* A-visa
* I-visa
Work Visa Options: Available After Student Status *Country Specific*

*Country Specific* Work Visa Options For Students

Click Here: 

[Google Drive Link](1OQ_NHia4ootR_OVtmXzSS5WCoz8Za65wHEGn5m)
USCIS & U.S. Department of State Resources

- **WORK VISA TYPES** (those listed in the flowchart diagram, prior slide) **DEFINED**: 

- **USCIS**
  - [https://www.uscis.gov/working-united-states/temporary-nonimmigrant-workers](https://www.uscis.gov/working-united-states/temporary-nonimmigrant-workers)

- **U.S. Department of State**
  - [https://travel.state.gov/content/visas/en/employment.html](https://travel.state.gov/content/visas/en/employment.html)
Options: H-1B “Lottery” / “Cap-Covered”

H-1B Regular: Limited by a “Cap” / Quota
[duration: 6 yrs]

Requirements

- A job offer with a company with a “proven track record” (10 / 25 / 10 Guidance - start-ups & smaller companies: tricky);
- For a position that requires at least a 4 year college degree; and
- You have the required degree.

Also: Concurrent H-1Bs
Also: "Prevailing Wage"
Also: Who Pays the Fees
The H-1B “Cap-Gap Extension”

Don’t Graduate too soon!

• Click Here for Video

F-1 Students: If Possible - AVOID Graduating in December

Arthur Serratelli
The H-1B is not “so special”

Video: Click Here
Options:
H-1B “Lottery” / Limited Supply

H-1B “Lottery” / “Cap-Covered” Regular Option
Not the best choice!

WHY?
- Each Applicant has only a 33% Chance of Actually Winning the Lottery
- WHY?
- In 2015 & 2016, the Demand for H-1Bs was over 233,000 applications
- And the Supply was a woefully tiny 85,000 quota-limited H-1B visas

- The H-1B Lottery is Terrible -- You Absolutely MUST have a Plan “B”
Options: “Plan B”
H-1B Cap-Exempt / No Lottery

H-1B cap-exempt - AVOID The Lottery

3 Types of Employer Organizations are Cap-Exempt

- **Type #1** U.S. institutions of higher education
- **Type #2** Non-profit entities affiliated w/ U.S. institutions of higher education
- **Type #3** Non-profit research organizations or (federal) government research organization

Non-profit Think Tanks (Public Policy Research) & Trade Associations:

- [https://www.guidestar.org/nonprofit-directory/education-research/research-institutes/1.aspx](https://www.guidestar.org/nonprofit-directory/education-research/research-institutes/1.aspx)
- [http://guides.library.harvard.edu/content.php?pid=481539&sid=3945886](http://guides.library.harvard.edu/content.php?pid=481539&sid=3945886)
Options:
Who’ll “Sponsor” Your H-1B?

Don’t forget our friend:  www.myvisajobs.com
G-Visas:
“International Organizations”

Specially Designated NGOs | Click: List of Employers

Requirements

• Get a Job with a Listed Employer, Get a Visa!

• 6 Page List of Employers:

• International G-visa Organizations

[duration: varies w/ job]
H-1B “No Lottery” / “Cap-Exempt” & G-Visas Video Playlist: Click Here
The R-1 Religious Worker Visa

- R-1 Religious Worker
- [duration: 5 yrs]

- **R-1 Visa Requirements**
- ** USCIS Description:** *Click Here*

- Video: Click Here
Options: L-1A and L-1B

- **L-1A**: Manager or Executive [7 years]
  - EB-1 Green Card “Short-cut”

- **L-1B**: Specialized Knowledge [5 years]
  - Inside “proprietary” info: engineer; internal audit

- **Requirements**
  - Work 1 full year outside USA for Company XYZ
  - Transfer to Company XYZ Branch / Affiliate in USA
  - L-Visa Status: Resources

https://uniworldonline.com/
http://www.goinglobal.com/
On YouTube:
More about the L-1A & L-1B

L-1A &
L-1B Visa

- Requirements
- Video: Click Here
Options:
E-3

- **E-3**: “H-1B for Australians” [duration 2 years+]

- **Requirements**
  - Follow the H-1B Requirements
  - You MUST be from Australia
  - **Video:** [Click Here]

The E-3 Visa: Calling ALL Australians!
Options:
TN (Treaty NAFTA) Visa

- **TN**: For Canada & Mexico **[3 years+]**
  - You MUST be from Canada or Mexico
  - You MUST Get a Job Listed on the “TN Job Titles List” & Have the Required Education Shown on the List

- **TN Requirements**

- **List of TN Job Titles: Click Here**

- **TN VIDEO**
  - Next Slide

Appendix 1603.D.1 (Annotated)

- Accountant--Baccalaureate or Licenciatura Degree; or C.P.A., C.A., C.G.A., or C.M.A.
- Architect--Baccalaureate or Licenciatura Degree; or state/provincial license
- Computer Systems Analyst--Baccalaureate or Licenciatura Degree; or Post-Secondary Diploma or Post Secondary Certificate and three years’ experience.
- Disaster relief insurance claims adjuster (claims adjuster employed by an insurance company located in the territory of a Party, or an independent claims adjuster)--Baccalaureate or Licenciatura Degree and successful completion of training in the appropriate areas of insurance adjustment pertaining to disaster relief claims; or three years experience in claims adjustment and successful completion of training in the appropriate areas of insurance adjustment pertaining to disaster relief claims.
- Economist--Baccalaureate or Licenciatura Degree.
- Engineer--Baccalaureate or Licenciatura Degree; or state/provincial license.
- Forester--Baccalaureate or Licenciatura Degree; or state/provincial license.
- Graphic Designer--Baccalaureate or Licenciatura Degree; or Post-Secondary Diploma or Post-Secondary Certificate and three years experience.
- Hotel Manager--Baccalaureate or Licenciatura Degree in hotel/restaurant management; or Post-Secondary Diploma or Post-Secondary Certificate in hotel/restaurant management and three years experience in hotel/restaurant management.
- Industrial Designer--Baccalaureate or Licenciatura Degree; or Post-Secondary Diploma or Post-Secondary Certificate, and three years experience.
- Interior Designer--Baccalaureate or Licenciatura Degree; or Post-Secondary Diploma or Post-Secondary Certificate, and three years experience.
More about the TN Video: Click Here
Options:
E-1 / E-2

- E-1: Treaty Trader [2 / 4 / 5 years+]
- E-2: Treaty Investor [2 / 4 / 5 years+]

Requirements

- Treaty between your country and USA
  - Treaty Countries -- LIST
  - [https://travel.state.gov/content/visas/en/fees/treaty.html](https://travel.state.gov/content/visas/en/fees/treaty.html)

- Job offer from USA company of your nationality
  - *Which Means: the USA company owned by people or a company in your country*

- Skilled job
  - Multinational Companies in USA -- LISTS (ask your advisors)
    - [https://uniworldonline.com/](https://uniworldonline.com/)
More about the E-1 / E-2 Video: Click Here
Options:
Even more!

- O-1 - Extraordinary Ability
  - Extraordinary Ability Described | USCIS: Click Here

- P-1 - Athlete/Entertainer
  - Athlete Described | USCIS: Click Here
  - Entertainer Described | USCIS: Click here

- A-visa - Foreign Ambassador / Embassy Personnel
  - A-Visa Described | U.S. Dept of State: Click here

- I-visa - Foreign Media / Journalist visa
  - Foreign Media Visa Described | USCIS: Click Here
## Green Card Options After Student Status

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<td><strong>EB – 1</strong> You Are Special</td>
<td>Extraordinary Ability</td>
<td>Outstanding Professor / Researcher</td>
<td>Multinational Transferee</td>
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<td>* The Standard: * “Among the Best of the Best in Your Field” * “You Have Risen to the Top of Your Profession”</td>
<td>* Easier Standard to Prove than Extraordinary Ability * Why? The Employer Stands Behind You: They PAY You!</td>
<td>* L-1A Manager or Executive</td>
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<tr>
<td><strong>EB – 2</strong> PhD Masters (Min)</td>
<td>National Interest Waiver</td>
<td>PERM Labor Certification</td>
<td>PERM Labor Certification</td>
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<tr>
<td></td>
<td>* The Standard: * Your Work is Important * Your Contribution is Unique * WAIVER OF: Advertising</td>
<td>* The Standard: Special Handling * Advertise the Job to Find the BEST Professor / Researcher</td>
<td>* The Standard: Everyone Else That is not a Professor / Researcher * Lowest Acceptable American</td>
</tr>
<tr>
<td><strong>EB – 3</strong> Bachelors “Other Workers”</td>
<td>☒ ☒ ☒</td>
<td>☒ ☒ ☒</td>
<td>PERM Labor Certification</td>
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<td>* The Standard: * Lowest Acceptable American</td>
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Questions?

Please contact:

- Your international student advisor, and then either:

- Any immigration attorney suggested by your international student advisor (note: legal fees for consultations may apply. Inquire first)

- The immigration attorney who created this booklet (consultations are free-of-charge):
  - Art Serratelli, Esq
  - [www.smimmigrationlaw.com](http://www.smimmigrationlaw.com)
  - [art@smimmigrationlaw.com](mailto:art@smimmigrationlaw.com)
  - Cell: 757.235.4624