

#### **U.S. Immigration Law**

#### Presentation to International Students and **Scholars**

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## Topics

- Difference between Visa and Status
- > F and J Visas
- > Temporary Work Visa Options
- "Green Card" Options
- Strategic Considerations



#### Context

- Immigration is a complex area of law
- > 20+ temporary visa categories
- > 5 separate permanent employment-based categories, each with multiple subcategories
- Interaction/Synergies among various U.S. laws



### F-1 Student Visa

- > Process
- > Travel
- > Employment
- Change of Status



# J-1 Exchange Visitor Visa

- Process including Two Year Home Return Requirement
- > Travel
- > Employment
- Change of Status



### H-1B Specialty Occupation Visa

- Process Sponsor, Degree and **Timing**
- > Cap Numbers, timing, advanced degree
- Professional Fees and Expenses



#### O-1 Visa

- > Process
- What is "Extraordinary" big fish in a small pond"
- > Timing
- Duration



# Other Visa Options including TN • H1B1 • E-3

- > TN citizen of Mexico or Canada, Job Offer, Duration, Categories – see http://canada.usembassy.gov/visas/doing-business-in-america/professions-coveredby-nafta.html
- > H1B1 citizen of Singapore or Chile with 7500 cap
- > E-3 citizen of Australia with 10,000 cap



# "Green Card" Options

- > Family Based Immigration
- Employment Based Immigration
- ➤ Diversity Visa Lottery timing & annually



#### Practice Pointers

- Plan ahead
- > Dynamic nature of U.S. immigration laws
- Consequences of U.S. immigration law violations can affect freedom



# Strategy

- Work Authorization
- > Travel
- Valid Passport
- > DV Lottery
- ➤ Resource at Rice DSO Adria L. Baker, Ed.D., tel: (713)348-6095; <a href="mailto:abaker@rice.edu">abaker@rice.edu</a>

#### Questions?

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