

A..B..C..DACCA

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US CITIZENS



IMMIGRANTS

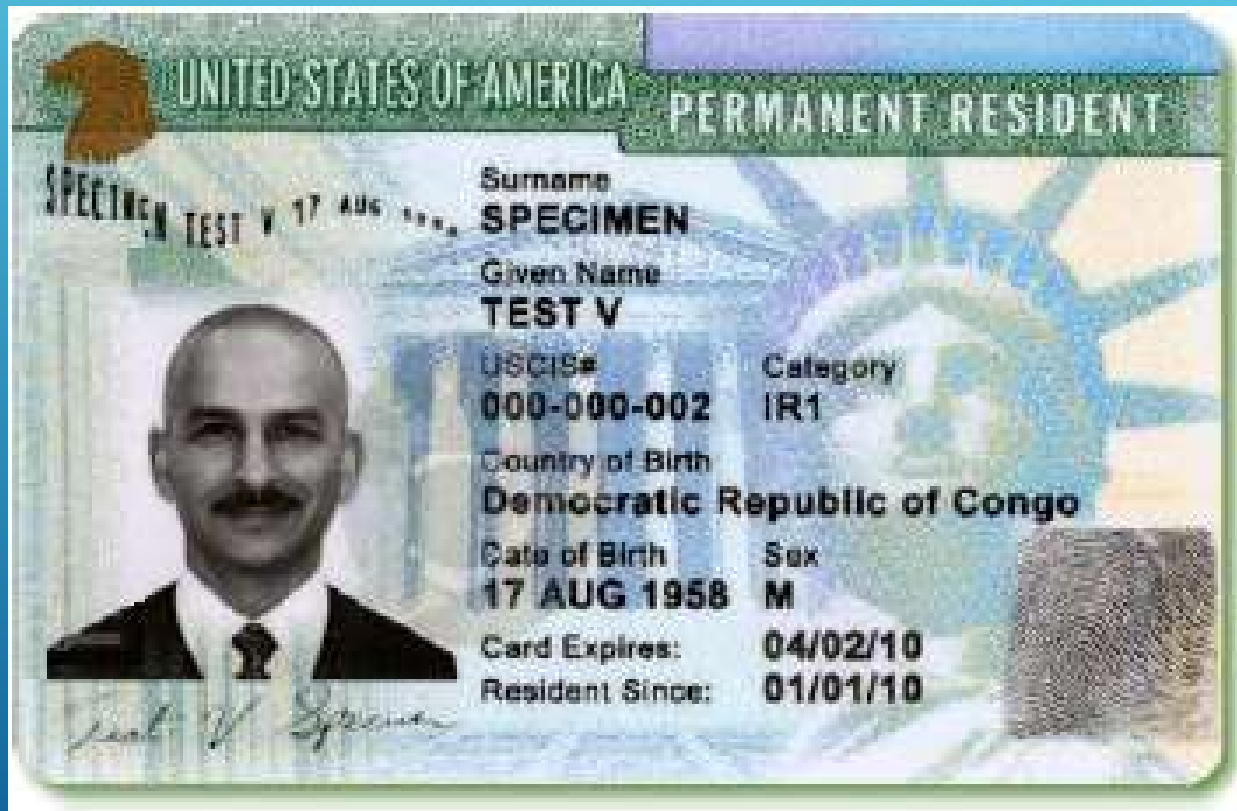


**NON
IMMIGRANTS**

FEATURES OF PERMANENT RESIDENT OR IMMIGRANT STATUS

- 1. PERMANENT***
 - 2. EMPLOYMENT AUTHORIZED**
 - 3. NO RESTRICTIONS ON WHO EMPLOYS**
 - 4. ELIGIBLE FOR NATURALIZATION**
- 
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PERMANENT RESIDENT CARD



WAYS TO OBTAIN PERMANENT STATUS

- 1. LABOR - BASED**
 - 2. FAMILY - BASED**
 - 3. HUMANITARIAN**
- 
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**STUDENTS ARE LIKELY DERIVATIVE
BENEFICIARIES**

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LABOR – BASED LABOR CERTIFICATION

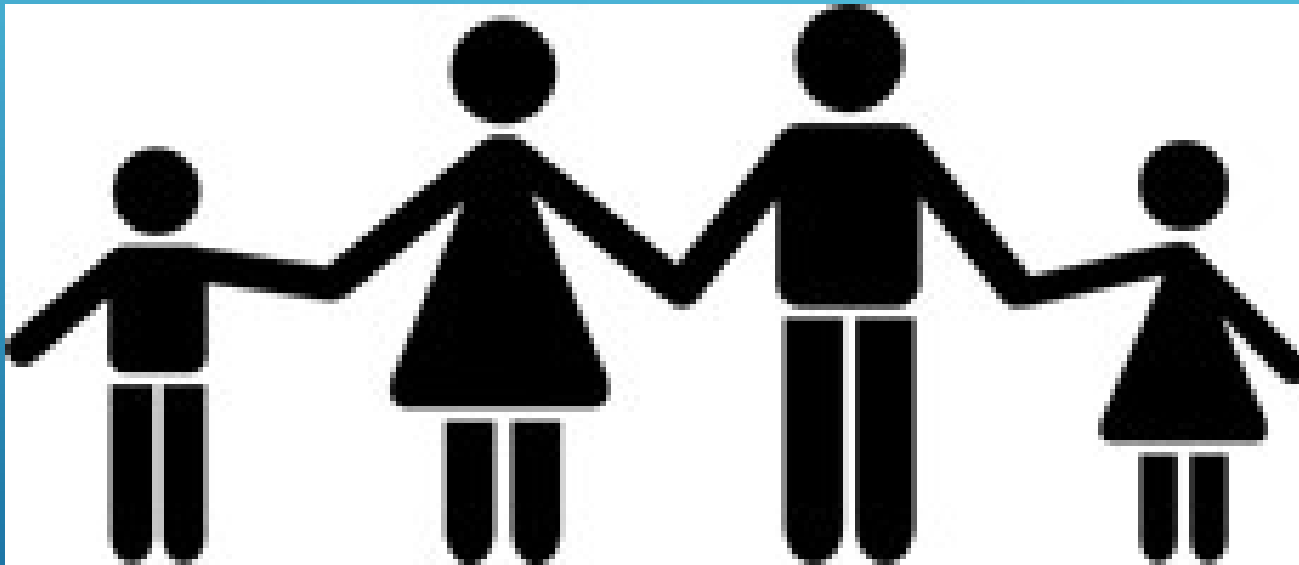


Google



- 1. EMPLOYER FILES AN APPLICATION WITH
Department of Labor (DOL)**
- 2. DOL APPROVES**
- 2. EMPLOYER RECRUITS NONCIT EMPLOYEE**
- 3. EMPLOYEE IS GRANTED PR STATUS**

FAMILY-BASED



FAMILY



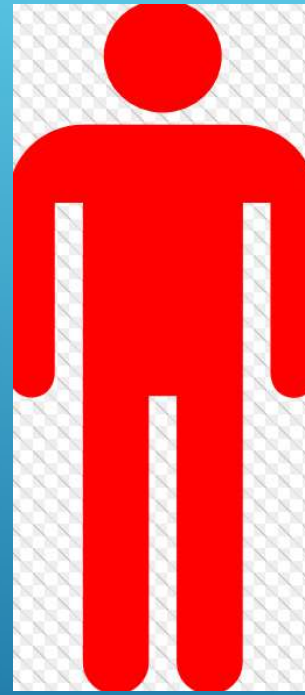
FAMILY-BASED

- 1. WHICH CATEGORY IS THE BENEFICIARY RELATIVE?**
 - 2. ARE THEY AN “IMMEDIATE RELATIVE”?**
- 
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EXAMPLE

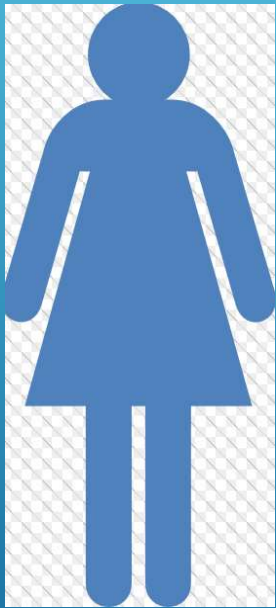


US Citizen

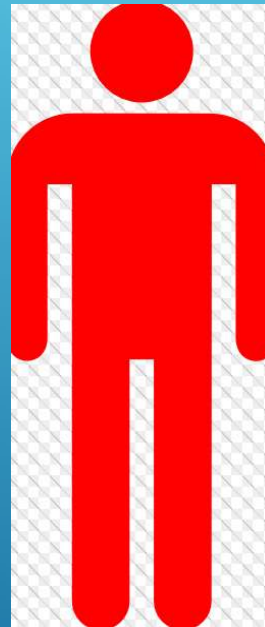


Foreign National

EXAMPLE



US Citizen



Foreign National



17 Year Old



24 Year Old

ANY ISSUES FOR PR STUDENTS?

- 1. SOMETIMES CONDITIONAL**
- 2. INELIGIBLE TO VOTE**
- 3. MUST TRAVEL WITH PASSPORT FROM BIRTH NATION**

NONIMMIGRANTS



WHAT'S THE DIFFERENCE?

IMMIGRANTS



**NON
IMMIGRANTS**

NONIMMIGRANT VISAS

1. ADMITTED FOR A SPECIFIC REASON

2. FOR A LIMITED DURATION OF STAY

STUDENT VISAS



F-1 STUDENTS

1. ABILITY TO PAY

2. EMPLOYMENT SEVERELY RESTRICTED (CPT OR OPT)

**3. LIMITS ON ONLINE INSTRUCTION COUNTING
TOWARDS FULL-TIME STATUS**

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J-1 STUDENTS

- 1. PROGRAM SPONSOR (COUNTRY OR AGENCY)**
 - 2. GOAL IS TO PROMOTE CULTURAL EXCHANGES VIA WORK OR STUDY**
 - 3. EMPLOYMENT RESTRICTED**
 - 4. MANY NON-DEGREE SEEKING**
- 
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EMPLOYMENT – BASED VISAS



H-1B VISAS

- 1. FULL-TIME ENROLLMENT MAY BE PERMISSIBLE**
 - 2. EMPLOYMENT RESTRICTED TO PETITIONING EMPLOYER**
 - 3. 3 + 3**
 - 4. TYPICALLY GRADUATE STUDENTS**
- 
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H-4 STUDENTS

- 1. MAY PURSUE FULL-TIME ENROLLMENT**
 - 2. DERIVATIVE STATUS DEPENDENT**
 - 3. EMPLOYMENT SEVERELY RESTRICTED**
 - 4. SPOUSES AND CHILDREN UNDER 21**
 - 5. LIKELY UNDERGRADS**
- 
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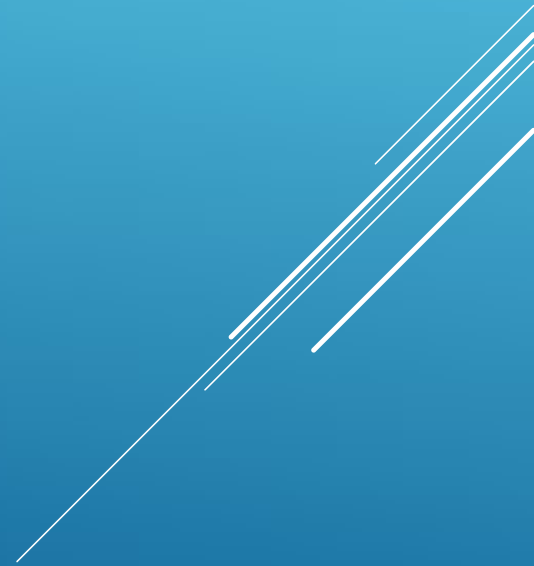
E2 VISAS

- 1. MAY PURSUE FULL-TIME ENROLLMENT**
- 2. DERIVATIVE STATUS DEPENDENT**
- 3. EMPLOYMENT SEVERELY RESTRICTED FOR CHILDREN**

COMMON ISSUES?

AGING OUT (OVER 21)

LOSS OF IN-STATE TUITION?



VISAS (LONG & SHORT TERM)



Other Visas (long & short term)

A1-A2: DIPLOMATS & GOVERNMENT WORKERS

B2: TOURIST VISA

K: FIANCE VISA

I-94

Departure Number OMB No. 1651-0111

b2b633123 12

**I-94
Departure Record**

**ADMITTED
ATL
JUN 25 2006
L-1
April 23, 2009**

14. Family Name
SAMPLE

15. First (Given) Name
JANE

16. Birth Date (Day-Mo-Yr)
23 03 68

17. Country of Citizenship
NEW ZEALAND

See Other Side CBP Form I-94 (10/04)
STAPLE HERE

 **U.S. Customs and Border Protection**
Securing America's Borders

Admission (I-94) Number Retrieval

Admission (I-94) Record Number: 68314040 400

Admit Until Date (MM/DD/YYYY): D/S

Details provided on Admission (I-94) form:


Family Name:	Mouse
First (Given) Name:	Mickey
Birth Date (MM/DD/YYYY):	05/09/1954
Passport Number:	BD4726352
Passport Country of Issuance:	England
Most Recent Date of Entry (MM/DD/YYYY):	06/01/2013
Class of Admission:	F-1

HUMANITARIAN



Humanitarian

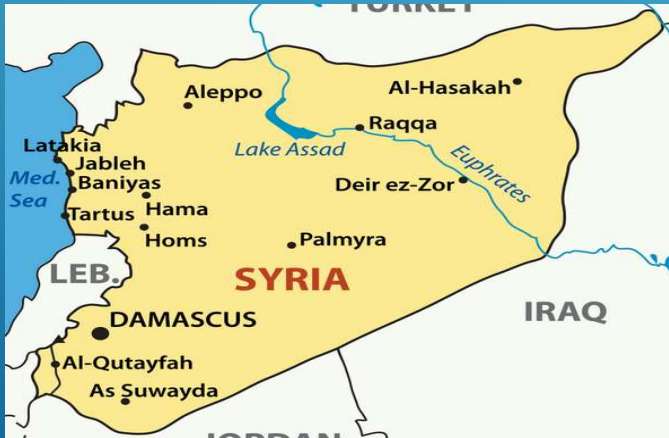
ASYLEES & REFUGEES

- **CREDIBLE FEAR OF PERSECUTION BASED ON RELIGION, RACE, GENDER, POLITICAL PERSUASION, ETC.**
 - **IS INDIVIDUAL APPLYING IN (ASYLUM) OR OUTSIDE US (REFUGEE)?**
- 
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ASYLEES & REFUGEES

- 1. PERMANENT**
- 2. MAY ADJUST TO PERMANENT RESIDENT STATUS**
- 3. EMPLOYMENT AUTHORIZED**
- 4. DIFFICULT TO WIN OR TOTAL NUMBER IS CAPPED**

TEMPORARY PROTECTED STATUS



TEMPORARY PROTECTED STATUS

1. NOT A PATH TO PERMANENT RESIDENCY
2. REQUIRES RE-REGISTRATION WITH DHS (18 mos.)
3. EMPLOYMENT AUTHORIZED
4. ELIGIBLE FOR AID?
5. **** ENDING FOR EL SALVADOR and HAITI ****

T & U VISA

1. T for TRAFFICKING
2. U VICTIM for CERTAIN CRIMES
3. PATH TO PERMANENT RESIDENCY
4. EMPLOYMENT AUTHORIZED
5. ELIGIBLE FOR AID (FAFSA FOR T)
6. ** OFTEN PREVIOUSLY WITHOUT STATUS **

DREAMERS: SOME COMMON ISSUES

- 1. DACA RESCISSION**
- 2. HISTORICALLY LOWER RATES OF GRADUATION**
- 3. CAMPUS CLIMATE**
- 4. INABILITY TO TRAVEL (DOMESTIC/INTERNATIONAL)**
- 5. INCREASED ANXIETY (REMOVAL, EMPLOYMENT)**

DREAMERS

- 1. MAY BE ELIGIBLE FOR STATE OR FEDERAL BENEFITS**
 - 2. CA BENEFITS: AB540**
 - 3. FEDERAL: DACA**
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DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA)



VS.



CALIFORNIA BENEFITS

- 1. AB540 – IN-STATE TUITION (SB 68)**
- 2. AB 60 DRIVER'S LICENSES**
- 3. AB130 & 131 – FINANCIAL AID**
- 4. PROFESSIONAL LICENSING IN THE STATE (LAW)**
- 5. BENEFITS EXIST INDEPENDENTLY OF DACA STATUS**

CA HIGH SCHOOL



DACA BENEFITS

- 1. NO REMOVAL**
 - 2. MAY PURSUE EMPLOYMENT**
 - 3. PRIOR TO SEPT 2017, MAY TRAVEL OUTSIDE THE COUNTRY***
 - 4. RENEWABLE***
- 
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DACA DISADVANTAGES

- 1. TEMPORARY**
 - 2. MIXED STATUS FAMILIES**
 - 3. NOT ALL APPLICATIONS APPROVED**
 - 4. NO PATH TO PERMANENT RESIDENT STATUS**
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DACA AS OF 1/16/18

- 1. PRESIDENT ANNOUNCED RESCISSION OF DACA ON SEPT. 2017**
- 2. HOWEVER, FEDERAL INJUNCTION BY JUDGE ALSUP JANUARY 2018: DACA RENEWALS WILL CONTINUE.**
- 3. HOWEVER, NO NEW APPLICATIONS ACCEPTED.**
- 4. SOME RENEWALS MAY BE HARDER IF PRIOR DACA EXPIRED.**

DACA AS OF 1/16/18

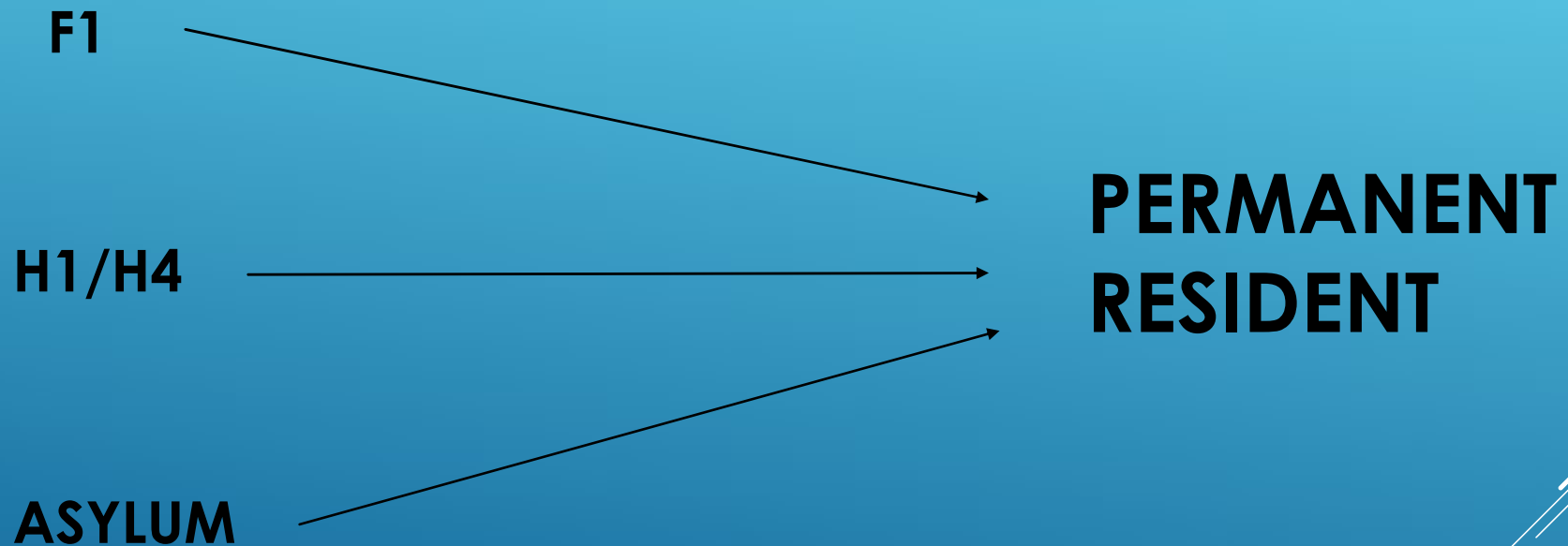
- 5. MAY NO LONGER TRAVEL OUTSIDE THE COUNTRY – NO “ADVANCE PAROLE”.**
- 6. RENEWALS ARE STILL FOR TWO YEARS – EMPLOYMENT AUTHORIZATION STILL AUTHORIZED.**
- 7. WE DON'T KNOW IF DACA APPLICATION INFORMATION WILL BE SHARED WITH ICE.**

CONNECT DACA STUDENTS WITH LEGAL COUNSEL

**FAMILIARIZE YOURSELF WITH PRO BONO OR
AFFORDABLE LEGAL RESOURCES.**

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ADJUSTMENT OF STATUS



NATURALIZATION

**PERMANENT
RESIDENT**



US CITIZEN

