

THE STUDENT'S PATH TO PERMANENT RESIDENCE



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F-1	%	F-1 Optional Practical Training	%	H-1B	%	LPR	%	(:
Duration of Status (D/S): While in full course of study as on I-20 plus 60 days to depart. college Duration extendable by DSO,		1 year, and an additional 17 mo. if in STEM field and employer is enrolled in e-verify. (Deduct O.P.T. time used prior to completion of studies). Must be approved by USCIS after DSO recommendation. File 90 days prior or 60 days after completion of studies w/ I-765 (EAD application) at USCIS.		"Specialty Occupation" Employer files Labor Condition Application (LCA) with U.S. DOL and awaits endorsement. Employer files I-129 with USCIS and assume 1 to 4 months to process. File prior to expiration of Practical Training as work may begin only after approval for 1 st H-1B petition. Up to 3 years each application; up to 3 years extension (6 year total). May be Part time, full time; several applications may be filed simultaneously or sequentially. For extension, work may begin when petition is filed by new employer. 65,000 Cap in 2004, and thereafter, (Colleges, Universities and their affiliates, and non-profit research organizations are exempt) plus 20,000 cap for holders of U.S. Masters degree. or higher . Gov't fiscal year begins 10/1. Must be filed 6 months prior (4/1). USCIS Filing Fee of \$320.00. Optional \$1,000.00 fee for 15 day USCIS processing; \$1,500.00 training fee by employer, or \$750.00 if company has 25 or fewer workers (colleges exempt). \$500.00 fraud prevention fee by all employers. No "intending immigrant" problem.		Employer files for Labor Certification. Obtain prevailing wage, place job order, do professional recruitment. Place 2 Sunday newspaper ads. (Except "Special Handling" - faculty). Posting 10 consecutive business days. PERM filing takes several months, unless audit by Labor Dept. Must notify Union representative, and 3 rd parties may contest availability. No labor certification for first employment preference category; or 2 nd category with National Interest Waiver; or physical therapists, professional nurses; or those of exceptional ability in the arts or sciences. The final steps are filing the visa petition for the appropriate visa category with USCIS, and simultaneously making the green card application if in the U.S.; or abroad-provided quota is current.		