Immigration for Ph.D.s

Making a Plan for Your Future
What’s After the Ph.D. or Postdoc?

Three Major Pathways
Staying in Academia

• Permanent job
  • Tenure track
  • or
  • Long-term research position

The ISO is your best resource

Timing Considerations
Joining an Existing Company

Have they sponsored others?
- Get the information in the recruitment stage

Will you be the first sponsoree?
- Find the information for them

Timing – Very Important!
Starting a New Company

- A brand new adventure!
- Focus on immediate work authorization
- Plan for the future

**Personal vs. Employer sponsorship**
- Personal will always be better if possible
- Employer needs to be a long-term goal
Nonimmigrant Visa Options

Temporary Options
O-1
Extraordinary Ability

Criteria
- Awards
- Association Membership
- Media Attention
- Original Contributions
- Authorship
- High Salary
- Judge/Review Work
- Employment in Lead/Critical Capacity

High level required
Indefinite renewals available, but travel is tricky
Quick option with premium processing
J-1 Exchange

- Limited term but can be renewed
- Single-Intent
- Two-year residency requirement
  - Pay attention to waivers
  - Timing is important
H-1B Specialty Occupation

- Work related to your education
- Easy for Ph.D.s with good chances in the lottery
- Timing is tricky
  - April lottery
  - October start date
Quick Q&A for Nonimmigrant Visas
Permanent Immigration Options

How to qualify for a green card
<table>
<thead>
<tr>
<th>EB Preference Categories</th>
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<tbody>
<tr>
<td>EB-1</td>
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<td>EB-2</td>
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<td>EB-3</td>
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<td><strong>Backlogs</strong></td>
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EB-1A
Extraordinary Ability

- Highest level immigration option
- Top 1%
- Strict criteria
  - Metrics!
  - Similar to O-1 criteria
- See worksheet
EB-1B Outstanding Professor/Researcher

- Employer-Sponsored
  - Types of employers

“Outstanding” Not Clearly Defined
  - Metrics!

See Worksheet
PERM Labor Certification

Intensive Process

Employer-Sponsored

Pros and Cons
The EB-2 National Interest Waiver

“Exceptional Ability” or “Advanced Degree”
- Common profile: PH.D. holder with memberships in professional associations and some cited publications that show original contributions

Must be above average
- But proving exceptional qualifications is best!

Must be important work

Not eligible for premium processing
EB-5 Investor

Must have minimum investment of $900,000

Investment must be personal

Frequently changing law
Mini Workshop: NIW Worksheet

- Split into a few groups and discuss the criteria
- How would you successfully define your field of work?
- What kinds of criteria work for your specific field of work?
China and India

Special Considerations
### Immigration Backlog in All Categories

<table>
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<tr>
<th>Employment-based</th>
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<th>EL SALVADOR GUATEMALA HONDURAS</th>
<th>INDIA</th>
<th>MEXICO</th>
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Choosing the Right Visa

- F-1, J-1, L-1 and others have max-out dates

- O-1 no max out date
  - China single-entry issue

- H-1B has a 6-year max-out date
  - Exceptions!
    - Having an approved I-140 allows indefinite extensions
    - Filing a PERM before the 5\textsuperscript{th} H-1B year starts (see information sheet)
Conclusion and Final Q&A