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GEYGAN & GEYGAN,
LTD.

EXECUTIVE ACTIONS ON IMMIGRATION 2014

IMMIGRATION BENEFITS

PRESENTED BY:

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EXECUTIVE ACTIONS ON IMMIGRATION 2014

On November 20, 2014, the President announced a series of executive actions to crack down on illegal immigration at the border, prioritize deporting felons, not families, and require certain undocumented immigrants to pass a criminal background check and pay taxes in order to temporarily stay in the U.S. without fear of deportation.

These initiatives include:

- Expanding the population eligible for the Deferred Action for Childhood Arrivals (DACA) program to young people who came to this country before turning 16 years old and have been present since January 1, 2010, and extending the period of DACA and work authorization from two years to three years.
- Allowing parents of U.S. citizens and lawful permanent residents who have been present in the country since January 1, 2010, to request deferred action and employment authorization for three years, in a new Deferred Action for Parental Accountability program, provided they pass required background checks.
- Expanding the use of provisional waivers of unlawful presence to include the spouses and sons and daughters of lawful permanent residents and the sons and daughters of U.S. citizens.
- Modernizing, improving and clarifying immigrant and nonimmigrant programs to grow our economy and create jobs. This will not be discussed in this publication.
- Promoting citizenship education and public awareness for lawful permanent residents and providing an option for naturalization applicants to use credit cards to pay the application fee. This will not be discussed in this publication.

THE GOVERNMENT'S NEXT STEPS

USCIS and other agencies and offices are responsible for implementing these initiatives as soon as possible. Some initiatives will be implemented over the next several months and some will take longer.

Over the coming months, USCIS will produce detailed explanations, instructions, regulations and forms as necessary. The brief summaries provided below offer basic information about each initiative.

While USCIS is not accepting requests or applications at this time, if you believe you may be eligible for one of the initiatives listed above, you can prepare by gathering documents that establish factors such as your:

- Identity;
- Relationship to a U.S. citizen or lawful permanent resident; and
- Continuous residence in the United States over the last five years or more.



We strongly encourage you to subscribe to receive an email whenever additional information on these initiatives is available on our [website](#). We will also post updates on [Facebook](#) and [Twitter](#).

Share this page with your friends and family members. Remind them that the only way to be sure to get the facts is to get them **directly from USCIS or a licensed immigration lawyer**. Unauthorized practitioners of immigration law may try to take advantage of you by charging a fee to submit forms to USCIS on your behalf or by claiming to provide other special access or expedited services which do not exist. To learn how to get the right immigration help, go to our [Avoid Scams page](#).

YOUR NEXT STEPS

At the end of each section, we provide you with a list of documents and questionnaires to complete. This information will be necessary to obtain the benefits you are seeking. This information may be updated from time to time based upon new information we receive from the government. It is important for you to start obtaining these documents right away. Documents from some agencies may take days, weeks or months to obtain.

ABOUT GEYGAN & GEYGAN, LTD.

WHAT WE DO

We help clients live and work in the United States. We determine eligibility for the visa category, determine the best course of action for the client's individual needs, and adaptability for long term goals of our clients.

We collect all relative information and supporting documents from the client and other professionals. We prepare all Immigration and Department of State petitions and applications. We respond to any question or controversy the government may have about eligibility of the petitioner, beneficiary and sponsors. We advocate.

Once the petition or application is approved, we outline the time frames for any follow-up action that may be needed to ensure compliance with both state and federal laws. At this meeting, we discuss changes in the law and business circumstances that may have an effect on any visa renewals. We monitor our client's visa status to make sure all subsequent paperwork is submitted timely. When a client is eligible for an "upgrade" in his or her immigration status, the client understands the benefits of this petition or application.

WHAT IT'S LIKE TO WORK WITH GEYGAN & GEYGAN, LTD.

Our first meeting will be either in person or via web conference. We will provide you with a date and time of our meeting, and if by web conference, a number to call. We will discuss and prioritize your goals and time frames. The next step will be to ensure your eligibility. Providing you are eligible and we can meet your goals and time frames, we will discuss fees and costs.



We will provide you with a case plan based upon your goals, time frames and government processing times. You will also receive questionnaires and a list of documents needed for your case to be approved. You will be able to contact me via in-person meetings, email and telephone. I return unscheduled calls between 11:00 a.m. and 12:00 p.m., as well as between 4:00 p.m. and 5:00 p.m. Emails are returned within one business day. All time frames are Eastern Standard Time.

INVITATION TO CONTACT US

At this time, I am not charging an [initial consultation](#) fee. Our initial consultations last one half hour. This will be our first meeting and we will discuss goals, time frames, eligibility, fees and costs. This meeting will move quickly, so most clients find it helpful to have any questions written down beforehand. This way, all of your questions are answered. Please feel free to schedule a meeting by calling my office at 513-791-1673.



Thomas J. Geygan, Jr. I received my undergraduate degree from Xavier University and my Juris Doctor at Salmon P. Chase. My work history includes working with foreign trade zones, software support to mutual fund companies and, of course, law practice. I met and married my wife while living in Honduras. We have gone through all of her immigration together. I divide my practice between immigration and general law. I am a member of the American Immigration Lawyers Association, the Cincinnati Bar Association, and the Ohio Bar Association. I am admitted to practice in all Ohio courts, the United States Court of Appeals for the Sixth Circuit, United States District Court for the Southern District of Ohio, the Bankruptcy Court for the Southern District of Ohio and all immigration courts.

When I am not practicing law, I am doing what my wife tells me to do, or teaching scuba diving.

EXPANDED DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA)

GUIDELINES

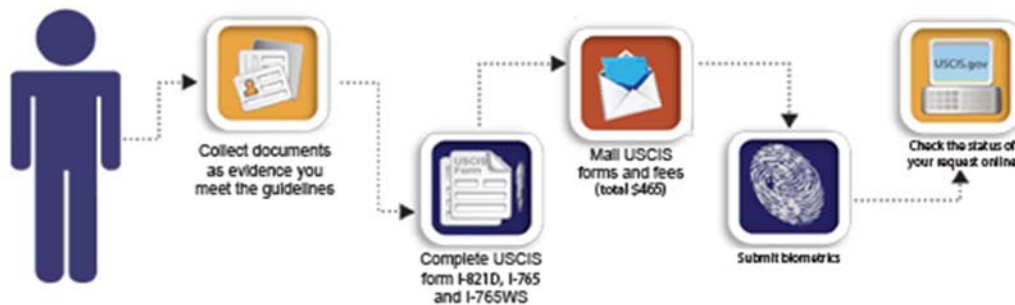
You may request DACA if you:

- ~~Were under the age of 31 as of June 15, 2012;~~ **Changed under the Executive Action**
- Came to the United States before reaching your 16th birthday;
- Have continuously resided in the United States since ~~June 15, 2007~~ January 1, 2010 **Changed under the Executive Action**, up to the present time;



- Were physically present in the United States on ~~June 15, 2012~~ January 1, 2010 **Changed under the Executive Action**, and at the time of making your request for consideration of deferred action with USCIS;
- Had no lawful status on June 15, 2012;
- Are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a general education development (GED) certificate, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and
- Have not been convicted of a felony, significant misdemeanor, or three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.

FILING PROCESS FOR DACA



THE GOVERNMENT’S NEXT STEPS

The USCIS estimates that they will have the expanded DACA program in place by February 18, 2015.

YOUR NEXT STEPS

If you are eligible to file or extend under the original DACA rules, please do so. Do not wait for this change to be effective.

If you need the new law to file, now is the time to start gathering your documents and saving your money for your filing fees and any attorney fees.

Examples of Documents to Submit to Demonstrate You Meet the Guidelines

Proof of identity	Passport or national identity document from your country of origin Birth certificate with photo identification
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	<p>School or military ID with photo</p> <p>Any U.S. government immigration or other document bearing your name and photo</p>
<p>Proof you came to U.S. before your 16th birthday</p>	<p>Passport with admission stamp</p> <p>Form I-94/I-95/I-94W</p> <p>School records from the U.S. schools you have attended</p> <p>Any Immigration and Naturalization Service or DHS document stating your date of entry (Form I-862, Notice to Appear)</p> <p>Travel records</p> <p>Hospital or medical records</p> <p>Employment records (pay stubs, W-2 Forms, etc.)</p> <p>Official records from a religious entity confirming participation in a religious ceremony</p> <p>Copies of money order receipts for money sent in or out of the country</p> <p>Birth certificates of children born in the U.S.</p> <p>Dated bank transactions</p> <p>Automobile license receipts or registration</p> <p>Deeds, mortgages, rental agreement contracts</p> <p>Tax receipts, insurance policies</p>
<p>Proof of immigration status</p>	<p>Form I-94/I-95/I-94W with authorized stay expiration date</p> <p>Final order of exclusion, deportation, or removal issued as of June 15, 2012</p> <p>A charging document placing you into removal proceedings</p>
<p>Proof of presence in U.S. on June 15, 2012</p>	<p>Rent receipts or utility bills</p> <p>Employment records (pay stubs, W-2 Forms, etc.)</p>
<p>Proof you continuously resided in U.S. since January 1, 2010</p>	<p>School records (letters, report cards, etc.)</p>



	<p>Military records (Form DD-214 or NGB Form 22)</p> <p>Official records from a religious entity confirming participation in a religious ceremony</p> <p>Copies of money order receipts for money sent in or out of the country</p> <p>Passport entries</p> <p>Birth certificates of children born in the U.S.</p> <p>Dated bank transactions</p> <p>Automobile license receipts or registration</p> <p>Deeds, mortgages, rental agreement contracts</p> <p>Tax receipts, insurance policies</p>
Proof of your student status at the time of requesting DACA	<p>Official records (transcripts, report cards, etc.) from the school that you are currently attending in the United States.</p> <p>U.S. high school diploma or certificate of completion</p> <p>U.S. GED certificate</p>
Proof you are an honorably discharged veteran of the Coast Guard or Armed Forces of the U.S.	<p>Form DD-214, Certificate of Release or Discharge from Active Duty</p> <p>NGB Form 22, National Guard Report of Separation and Record of Service</p> <p>Military personnel records</p> <p>Military health records</p>

Don't leave the country

If you are undocumented, it may be extremely difficult to reenter the country after leaving. Also, a requirement of the new policies may be being present in the U.S. on the date they are announced — this was a requirement for DACA.

Save enough money for application fees

The USCIS charges a fee to file an immigration application, usually over \$100. The application for DACA costs \$465.



Stay out of trouble

Having a criminal record could make you ineligible to apply for any new immigration benefits. To be eligible for DACA, a person cannot have been convicted of a felony, significant misdemeanor, or three or more misdemeanors.

BEWARE OF SCAMS!

Executive action on immigration hasn't happened yet. And when it does, it will be several months before you can apply. Until new policies have been decided, you shouldn't pay anyone who promises to get you legal status.

DEFERRED ACTION FOR PARENTAL ACCOUNTABILITY (DAPA)

An undocumented individual living in the United States who, on the date of the announcement, November 20, 2014, is the parent of a U.S. citizen or lawful permanent resident and who meets the guidelines listed below.

- Allows parents to request deferred action and employment authorization if they:
 - Have continuous residence in the United States since January 1, 2010;
 - Are the parents of a U.S. citizen or lawful permanent resident born on or before November 20, 2014; and
 - Are not an enforcement priority for removal from the United States, pursuant to the November 20, 2014 Policies for the Apprehension, Detention and Removal of Undocumented Immigrants Memorandum.

Note: USCIS will consider each request for Deferred Action for Parental Accountability (DAPA) on a case-by-case basis. Enforcement priorities include (but are not limited to) national security and public safety threats.

THE GOVERNMENT'S NEXT STEPS

The USCIS estimates that they will have the DAPA program in place by May 19, 2015.

YOUR NEXT STEPS

Now is the time to start gathering your documents and saving your money for your filing fees and any attorney fees.



Examples of Documents to Submit to Demonstrate you Meet the Guidelines

Proof of identity	<p>Passport or national identity document from your country of origin</p> <p>Birth certificate with photo identification</p> <p>School or military ID with photo</p> <p>Any U.S. government immigration or other document bearing your name and photo</p>
Proof of Relationship to a U.S. citizen or lawful permanent resident	<p>Birth certificate of child showing both your name and the child's date of birth being on or before November 20, 2014</p> <p>Birth certificate of child showing the child's date of birth being on or before November 20, 2014 and DNA testing by an AABB lab showing you are the parent</p>
Proof of Continuous residence in the United States over the last five years or more	<p>Rent receipts or utility bills</p> <p>Employment records (pay stubs, W-2 Forms, etc.)</p> <p>School records (letters, report cards, etc.)</p> <p>Military records (Form DD-214 or NGB Form 22)</p> <p>Official records from a religious entity confirming participation in a religious ceremony</p> <p>Copies of money order receipts for money sent in or out of the country</p> <p>Passport entries</p> <p>Birth certificates of children born in the U.S.</p> <p>Dated bank transactions</p> <p>Automobile license receipts or registration</p> <p>Deeds, mortgages, rental agreement contracts</p> <p>Tax receipts, insurance policies</p>



EXPANDED PROVISIONAL WAIVERS OF UNLAWFUL PRESENCE

- Undocumented individuals who have resided unlawfully in the United States for at least 180 days and who are:
 - The spouse of a U.S. citizen;
 - The sons and daughters of U.S. citizens; and
 - The spouse and sons or daughters of lawful permanent residents.
- Expands the provisional waiver program announced in 2013 by allowing the spouses, sons or daughters of lawful permanent residents and sons and daughters of U.S. citizens to get a waiver if a visa is available. There may be instances when the qualifying relative is not the petitioner.
- Clarifies the meaning of the “extreme hardship” standard that must be met to obtain a waiver.

Note: Currently, only spouses and minor children of U.S. citizens are allowed to apply to obtain a provisional waiver if a visa is available. For more information about the waivers program, go to the Provisional Unlawful Presence Waivers page which will be updated over the next several months.

THE GOVERNMENT’S NEXT STEPS

The USCIS estimates that they will have the Provisional Waiver program in place in the next several months.

YOUR NEXT STEPS

Now is the time to start gathering your documents and saving your money for your filing fees and any attorney fees.

Proof Of Ties To The United States Through Property/Benefits

- Contract of property deed, or lease contract
- Car titles
- Auto registration
- Home insurance, cars, life, and health for you and your family
- Driver’s license

Proof Of Ties To The United States Through Family/Friends

- Copies of birth certificates from the United States, passports from the United States, naturalization certificates or legal permanent resident cards for all family members. This includes spouses, children, parents, siblings, grandparents, aunts and uncles, cousins, parents-in-law, etc.



- Photos of you with your family
- Children's school registrations
- Letter from teachers at school explaining how it will affect your children if separated from you
- Letters from family and friends who are citizens or lawful permanent residents

Proof Of Ties To The United States Through Education/Professional

- School registration in the United States, certificates, diplomas from schools and universities in the United States
- Letter from employer and evidence of history of employment

Proof Of Good Faith Marriage

- Birth certificate of you and your spouse
- Marriage certificate
- Photos of your wedding

Proof Of Financial Difficulty

- Bills or correspondence that has your name or your spouse's name for the last four months (electricity, water, telephone, gas, etc.)
- Bank statement of checking or savings account for the last four months
- Filed tax returns for the last three years

Proof Of Medical/Emotional Condition

- Medical receipts for you or immediate family member that suffers a medical condition
- Report from counselor or psychologist explaining your emotional hardship (for your qualifying spouse or parent)
- Copies of medical reports from doctors or hospitals

Proof Of Good Moral Character

- Proof of registration for selective service (if male and if eligible)
- Police check
- Proof of community service
- Letter from your church



Proof Of Home Countries Conditions

- While we will provide a number of reports, as you are more familiar with your home country than we are, any additional evidence would be helpful.

Letters From You And Your Spouse

THE WRONG HELP CAN HURT

COMMON SCAMS

If you need legal advice on immigration matters, make sure that the person you rely on is authorized to give you legal advice. Only an attorney or an accredited representative working for a Board of Immigration Appeals-recognized organization can give you legal advice.

The Internet, newspapers, radio, community bulletin boards and storefronts are filled with advertisements offering immigration help. Not all of this information is from attorneys and accredited representatives. There is a lot of information that comes from organizations and individuals who are not authorized to give you legal advice, such as “notarios” and other unauthorized representatives. The wrong help can hurt. Here is some important information that can help you avoid common immigration scams.

TELEPHONE SCAMS

Do not fall victim to telephone scammers posing as USCIS personnel or other government officials. In most instances, scammers will:

- request personal information (Social Security number, Passport number, or A-number);
- identify false problems with your immigration record; and
- ask for payment to correct the records.

If a scammer calls you, say “No, thank you” and hang up. These phone calls are being made by immigration scammers attempting to take your money and your credit card information. USCIS will not call you to ask for any form of payment over the phone. Don’t give payment over the phone to anyone who claims to be a USCIS official.

If you have been a victim of this telephone scam, please report it to the Federal Trade Commission (FTC). Learn more about telephone scams and telephone scammers’ techniques by visiting Federal Trade Commission-Telemarketing-Scams.



“NOTARIO PUBLICO”

In many Latin American countries, the term “notario publico” (for “notary public”) stands for something very different than what it means in the United States. In many Spanish-speaking nations, “notarios” are powerful attorneys with special legal credentials. In the U.S., however, notary publics are people appointed by state governments to witness the signing of important documents and administer oaths. “Notarios publico,” are not authorized to provide you with any legal services related to immigration.

Please see the National Notary Association website, “What is a Notary Public,” for more information.

LOCAL BUSINESSES

Some businesses in your community “guarantee” they can get you benefits such as a:

- Visa
- Green Card
- Employment Authorization Document

These businesses sometimes charge you a higher fee to file the application than USCIS charges. They claim they can do this faster than if you applied directly with USCIS. These claims are false. There are few exceptions to the normal USCIS processing times. Visit our National Processing Volumes and Trends page for more information.

DOT-COM WEBSITES

Some websites offering step-by-step guidance on completing a USCIS application or petition will claim to be affiliated with USCIS. USCIS has its own official website with:

- Free downloadable forms
- Form instructions
- Information on filing fees and processing times

Do not pay for blank USCIS forms either in person or over the Internet.

VISA LOTTERY

Once a year, the Department of State (DOS) makes 50,000 diversity visas (DVs) available via random selection to persons meeting strict eligibility requirements and who come from countries with low rates of immigration to the United States. During this time, it is common for immigration scammers to advertise in emails or websites that reference either the:

- DV lottery
- Visa lottery



- Green Card lottery

These emails and websites often claim that they can make it easier to enter the annual Diversity Immigrant Visa Program, for a fee. Some even identify you as a DV lottery “winner.”

These emails and websites are fraudulent. The only way to apply for the DV lottery is through an official government application process. DOS does not send emails to applicants. Visit the Department of State website to verify if you are actually a winner in the DV lottery or for information on how to submit an application for a DV lottery visa.

INS OR USCIS?

To this day, some local businesses, websites and individuals make reference to the Immigration and Naturalization Service (INS). This agency no longer exists!

INS was dismantled on March 1, 2003, and most of its functions were transferred from the Department of Justice to three new components within the newly formed Department of Homeland Security. U.S. Citizenship and Immigration Services (USCIS) is the component that grants immigration benefits. The other two components are U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection.

All official correspondence regarding your immigration case will come from USCIS.

FORM FILING TIPS

It's important for you to understand how the USCIS application process works. Knowing the facts will help you avoid scams.

TOP 10 TIPS BEFORE YOU FILE

1. The official website for USCIS is www.uscis.gov.
2. USCIS does not charge you a fee to download forms. Visit our Forms page to get free forms and learn more about filing fees.
3. Read the form instructions before completing the form. Remember to fill in all required fields and send in any required documentation.
4. You must sign your form before sending it to USCIS.
5. Before you sign an immigration form, make sure that you understand it and that the information on it is true and accurate.
6. Never sign blank forms.
7. USCIS requires you to pay a filing fee for most forms. Please see the list of fees on our website.
8. You can pay filing fees with a money order, certified check or valid credit card.
9. Make sure you get a receipt for any payment you make to an attorney or accredited representative.



10. Keep copies of all forms and other documents that you file with USCIS.

TOP 3 TIPS AFTER YOU FILE

1. USCIS will mail you a receipt after we receive your application. Make sure to keep the receipt for your records.
2. Use the receipt number on your receipt to track the status of your application online.
3. If you have questions about your application, you can make a free Infopass appointment to visit a USCIS office and speak with an immigration officer.

TIPS FOR WORKING WITH AN ATTORNEY OR ACCREDITED REPRESENTATIVE

- If you are working with an attorney, check with the state bar association to verify that the attorney is eligible to practice in—and is a member in good standing of the bar of the highest court of—any U.S. state, possession, territory or commonwealth, or the District of Columbia.
- If working with a non-attorney, verify whether the individual is an accredited representative of an organization recognized by the Board of Immigration Appeals (BIA).
- Know the law in your state. Some states have specific laws regulating immigration consultants.
- If you are unsure whether your immigration service provider is giving trustworthy advice, do not hesitate to seek a second opinion. When doing so, always work with a licensed attorney or BIA-accredited representative.

DEFINITIONS

Immigration law has a number of highly technical terms that may not mean the same thing to the average reader. To inform USCIS.gov users, we provide this glossary of immigration terms and acronyms. This glossary is designed to help you better understand the information provided on this website. The terms described in it do not replace statutory, regulatory, or other definitions provided by law or Department of Homeland Security's official policies and interpretations of law.

A

Admission Number or I-94 Number — An 11-digit number found on the Form I-94 or Form I-94A Arrival-Departure Record.

Alien — Any person not a citizen or national of the United States.



Alien Registration Number or Alien Number (A Number or A#) — A unique seven-, eight- or nine-digit number assigned to a noncitizen by the Department of Homeland Security. Also see “USCIS Number.”

Arrival-Departure Record (Form I-94/I-94A) — A small white card placed in the passport of an alien when they are admitted or paroled to the United States. This form is also issued to aliens in connection with the approval of an immigration benefit granted from within the United States. The card indicates parole or the immigration status under which the alien was admitted, and, if applicable, how long the alien is authorized to stay in the United States, either with a specific date, or with a notation such as D/S (Duration of Status). See also Duration of Status.

Asylee — An alien in the United States or at a port of entry who is found to be unable or unwilling to return to his or her country of nationality, or to seek the protection of that country because of persecution or a well-founded fear of persecution. Persecution or the fear thereof must be based on the alien’s race, religion, nationality, membership in a particular social group, or political opinion.

Au Pair Program — A Department of State J-1 cultural exchange program that provides exchange visitors between 18 and 26 years old the chance to participate in the home life of a U.S. host family. All au pair participants provide child care services to the host family and attend a U.S. post-secondary educational institution.

CBP— An abbreviation for U.S. Customs and Border Protection, an agency of the Department of Homeland Security.

Cap-Gap Extension — Allows foreign students seeking to change to H-1B status to extend their status and employment authorization through Sept. 30 of the calendar year for which the H-1B petition is being filed, but only if the employment start date in H-1B status will begin on Oct. 1. The extension is automatically terminated if the petition is rejected, denied or revoked.

Casual domestic employment — Sporadic, irregular or intermittent domestic service provided by an individual in a private home.

Certificate of Eligibility for Exchange Visitor (J-1) Status (Form DS-2019) — A Department of State-controlled document required to support an application for an exchange visitor visa (J-1) prepared by the program sponsor which can only be produced through the Student and Exchange Visitor Information System (SEVIS).



Certificate of Eligibility for Nonimmigrant (F-1) Student Status — For Academic and Language School (Form I-20)— A Department of Homeland Security-controlled document required to support an application for a student visa (F-1 or M-1) prepared by the sponsoring school which can only be produced through the Student and Exchange Visitor Information System (SEVIS).

Civil Surgeon - A medically trained, licensed and experienced doctor practicing in the U.S. who is certified by USCIS (U.S. Citizenship and Immigration Service). These medical professionals receive U.S. immigration-focused training in order to provide examinations as required by the CDC (Center for Disease Control and Prevention) and USCIS. For medical examinations given overseas, please see Panel Physician.

IMPORTANT: medical examinations will not be recognized if they are given by a doctor in the U.S. who is not a Civil Surgeon; please make sure that your appointment is with a Civil Surgeon or your results and documents will be invalid.

CFR — An abbreviation for the Code of Federal Regulations.

Child

Generally, an unmarried person under 21 years of age who is: a child born in wedlock; a child born through Assisted Reproductive Technology (ART) to a non-genetic gestational mother who is also the legal mother under the law of the relevant jurisdiction at the time of birth; a stepchild, provided that the child was under 18 years of age at the time that the marriage creating the stepchild relationship occurred; a legitimated child, provided that the child was legitimated while in the legal custody of the legitimating parent; a child born out of wedlock, when a benefit is sought on the basis of its relationship with its mother, or to its father if the father has or had a bona fide relationship with the child; a child adopted while under 16 years of age who has resided with the adopting parent for at least 2 years and has been in the legal custody of the adopting parent for at least 2 years ; or an orphan, under 16 years of age, who has been adopted abroad by a U.S. citizen or has an immediate-relative visa petition submitted in his/her behalf and is coming to the United States for adoption by a U.S. citizen.

Code of Federal Regulations — A codification of rules published in the Federal Register by the Executive departments and agencies of the federal government. See also Regulations.



Conditional resident — Any alien granted permanent resident status on a conditional basis (for example, a spouse of a U.S. citizen or an immigrant investor) who must petition to remove the conditions of his or her status before the second anniversary of the approval date of his or her conditional status.

Continuous residence - For a detailed explanation, go to the USCIS Policy Manual, Chapter 3: Continuous Residence.

Curricular Practical Training — A program that allows students to accept paid alternative work/study, internships, cooperative education or any other type of required internship or practicum that employers offer through cooperative agreements with the school.

(U.S.) Customs and Border Protection (CBP) — An agency of the Department of Homeland Security that is responsible for securing the homeland by preventing the illegal entry of people and goods while facilitating legitimate travel and trade.

DACA — Deferred Action for Childhood Arrivals, a program launched in 2012. For more information, go to the Consideration of Deferred Action for Childhood Arrivals (DACA) page.

Deferred action — A use of prosecutorial discretion to not remove an individual from the country for a set period of time, unless the deferred action is terminated for some reason. Deferred action is determined on a case-by-case basis and only establishes lawful presence but does not provide immigration status or benefits of any kind. DACA is one type of deferred action.

DHS — An abbreviation for the Department of Homeland Security

DOJ — An abbreviation for the U.S. Department of Justice

DOL — An abbreviation for the U.S. Department of Labor

DS-2019 — See Certificate of Eligibility for Exchange Visitor (J-1) Status.

Department of Homeland Security — Department of the Executive Branch of the U.S. government charged with homeland security: preventing terrorism and managing risks to critical infrastructure; securing and managing the border; enforcing and



administering immigration laws; safeguarding and securing cyberspace; and ensuring resilience to disasters.

Department of Justice — Department of the Executive Branch of the U.S. government with the primary responsibilities to enforce the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and impartial administration of justice for all Americans.

Department of Labor — Department of the Executive Branch of the U.S. government that fosters and promotes the welfare of the job seekers, wage earners, and retirees of the United States by improving their working conditions, advancing their opportunities for profitable employment, protecting their retirement and health care benefits, helping employers find workers, strengthening free collective bargaining, and tracking changes in employment, prices, and other national economic measurements. In carrying out this mission, the Department administers a variety of Federal labor laws including those that guarantee workers' rights to safe and healthful working conditions; a minimum hourly wage and overtime pay; freedom from employment discrimination; unemployment insurance; and other income support.

Designated School Official (DSO) — The person designated by the head of a Student and Exchange Visitor Program (SEVP)-approved school to support the Principal Designated School Official and maintain SEVIS records

Disabilities, Employees/Individuals with physical or mental impairments that substantially limit one or more of their major life activities, have a record of such impairments, or are regarded as having such impairments.

Discrimination — Unfair treatment because of your race, color, religion, sex (including pregnancy), citizenship or immigration status, national origin, disability, age (age 40 or older) or genetic information in the workplace or other protected characteristic or activity

Domestic worker— An individual who performs casual domestic employment.

Duration of Status (D/S)- Notation on certain nonimmigrant Forms I-94 indicating that the individual, such as an F-1 nonimmigrant student, is authorized to remain in the United States as long as he or she maintains a valid status,.



EEOC— An abbreviation for the Equal Employment Opportunity Commission

Employee— An individual who provides services or labor for an employer for wages or other remuneration (does not include an independent contractor or those engaged in casual domestic employment, as defined)

Employer— A person or entity, including an agent or anyone acting directly or indirectly in the interest thereof, who engages the services or labor of an employee for wages or other remuneration to perform work in the United States. The term employer includes agricultural recruiters and/or referrers for a fee. In the case of an independent contractor or contract labor or services, the term employer means the independent contractor or contractor and not the person or entity using the contract labor.

Employer sanctions— Series of civil fines or criminal penalties for violation of regulations that prohibit employers from hiring, recruiting or referring for a fee aliens known to be unauthorized to work in the United States, or continuing to employ aliens knowing them to be unauthorized, or hiring an individual without completing Form I-9.

Employment — Any service or labor performed by an employee for an employer within the United States, but not including casual domestic employment or duties performed by nonimmigrant crewmen (D-1 or D-2).

Employment Authorization Document (Form I-766/EAD) — A general term used to describe a card issued by USCIS on Form I-766 with the title “Employment Authorization Card” to aliens who are authorized to work in the United States in order to evidence their employment authorization. The card contains a photograph of the individual and sometimes his or her fingerprint. An alien who has been issued this card usually has open-market employment authorization, but there are exceptions.

Equal Employment Opportunity Commission (EEOC)— Agency that enforces federal laws that prohibit discrimination against a job applicant or employee because of race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information

E-Verify — An Internet-based system that compares information from an employee's Form I-9 to data from Department of Homeland Security and Social Security Administration records to confirm employment authorization.



Exchange visitor -;An alien admitted temporarily to the United States in J-1 status as a participant in a program approved by the Secretary of State for the purpose of teaching, instructing or lecturing, studying, observing, conducting research, consulting, demonstrating special skills, or receiving training.

Field office— Offices found in some USCIS Districts that serve a portion of the District's jurisdiction, providing services and enforcement functions

Foreign Student– Either:

F-1 Nonimmigrant Student— A student in F-1 nonimmigrant status (Academic Student) is an alien who has been admitted to the United States as a full-time student at an accredited college, university, seminary, conservatory, academic high school, elementary school, or other academic institution or in a language training program. The student must be enrolled in a program or course of study that culminates in a degree, diploma, or certificate and the school must be authorized by the U.S. government to accept international students; OR

M-1 Nonimmigrant Student -An individual in M-1 nonimmigrant status (Vocational Student) is an alien who has been admitted to the United States to participate in vocational or other nonacademic programs, other than language training.

G

H

Hire— The actual commencement of employment of an employee for wages or other remuneration.

I

I-20— See Certificate of Eligibility for Nonimmigrant (F-1) Student Status – For Academic and Language School.

I-94– See Arrival-Departure Record.



ICE — An abbreviation for U.S. Immigration and Customs Enforcement, an agency of the Department of Homeland Security

(U.S.) Immigration and Customs Enforcement — The principal investigative arm of the U.S. Department of Homeland Security, ICE's primary mission is to promote homeland security and public safety through the criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration.

Immigration Reform and Control Act of 1986 (IRCA), Public Law 99-603, 100 Stat. 3359 (enacted November 6, 1986) — An Act of Congress passed into law in order to control and deter illegal immigration to the United States. Its major provisions stipulate legalization of undocumented aliens who had been continuously unlawfully present since 1982, legalization of certain agricultural workers, sanctions for employers who knowingly hire undocumented workers, and increased enforcement at U.S. borders.

Immigration and Nationality Act (INA) — An Act of Congress that, along with other immigration laws, treaties, and conventions of the United States, relates to the immigration, temporary admission, naturalization and removal of aliens

INA — An abbreviation for the Immigration and Nationality Act

INS — An abbreviation of the Immigration and Naturalization Service, which was abolished in 2003. Its functions are now performed by three agencies of the Department of Homeland Security— U.S. Citizenship and Immigration Services (USCIS), ICE and CBP.

Intermittent — Something that does not occur continuously but is coming and going at intervals.

IRCA— An abbreviation for the Immigration Reform and Control Act of 1986, Public Law 99-603, 100 Stat. 3359 (enacted Nov. 6, 1986).

Irregular — An occurrence or activity that lacks in continuity or regularity

J, K, L

LPR — An abbreviation for lawful permanent resident



Labor certification— Department of Labor certification required for U.S. employers seeking to employ individuals whose immigration to the United States is based on job skills or nonimmigrant temporary workers coming to perform services for which qualified authorized workers are unavailable in the United States. Labor certification is issued by the Secretary of Labor and contains attestations by U.S. employers of the numbers of U.S. workers available to undertake the employment sought by an applicant, and the effect of the alien's employment on the wages and working conditions of U.S. workers similarly employed. Determination of labor availability in the United States is made at the time of a visa application and at the location where the applicant wishes to work.

Last Name— Family name or surname

Lawful permanent resident — Any person not a citizen of the United States who is residing in the U.S. under legally recognized and lawfully recorded permanent residence as an immigrant. Also known as "Permanent Resident Alien," "Resident Alien Permit Holder," and "Green Card Holder."

M

Maiden name —A woman's last name or family name at birth, before she married

Middle initial —The first letter of the second given name

N

National of the United States— A national of the United States or a person who, though not a citizen of the United States, owes permanent allegiance to the United States (e.g., persons born in American Samoa or Swains Island).

Nonimmigrant — An alien who is admitted to the United States for a specific temporary period of time. There are clear conditions on their stay. There are a large variety of nonimmigrant categories, each exists for a specific purpose and has specific terms and conditions. Nonimmigrant classifications include: foreign government officials, visitors for business and for pleasure, aliens in transit through the United States, treaty traders and investors, students, international representatives, temporary workers and trainees, representatives of foreign information media, exchange visitors, fiancé(e)s of U.S. citizens, intracompany transferees, NATO officials, religious workers and some



others. Most nonimmigrants can be accompanied or joined by spouses and unmarried minor (or dependent) children.

North American Free Trade Agreement (NAFTA) — Public Law 103-182 (Act of December 8, 1993), created special economic and trade relationships for the United States, Canada and Mexico. The TN nonimmigrant classification permits qualified Canadian and Mexican citizens to seek temporary entry into the United States to engage in business activities at a professional level. Among the types of professionals who are eligible to seek admission as TN nonimmigrants are accountants, engineers, lawyers, pharmacists, scientists, and teachers.

O

OSC— An abbreviation for the Office of Special Counsel for Immigration-Related Unfair Employment Practices, Department of Justice

Office of Special Counsel for Immigration-Related Unfair Employment Practices— A section within the Civil Rights Division of the Department of Justice that enforces the anti-discrimination provisions of the Immigration and Nationality Act, 8 U.S.C. § 1324b, which protects U.S. citizens and employment-authorized individuals from employment discrimination based on citizenship or immigration status, or based on national origin with respect to hiring, firing and recruitment or referral for a fee, and discrimination during the employment verification process.

P

Panel Physician - A medically trained, licensed and experienced doctor practicing overseas who is appointed by the local U.S. Embassy or Consulate. These medical professionals receive U.S. immigration-focused training in order to provide examinations as required by the CDC (Center for Disease Control and Prevention) and USCIS (U.S. Citizenship and Immigration Services). For medical examinations given in the U.S., please see "Civil Surgeon."

IMPORTANT: medical examinations will not be recognized if they are given by a doctor in the U.S. who is not a Civil Surgeon; please make sure that your appointment is with a Civil Surgeon or your results and documents will be invalid.

Parole in place — Immigration and Nationality Act section 212(d)(5)(A) gives the Secretary the discretion, on a case-by-case basis, to “parole” for “urgent humanitarian reasons or significant public benefit” an alien applying for admission to the United States. Although it is most frequently used to permit an alien who is outside the United



States to come into U.S. territory, parole may also be granted to aliens who are already physically present in the U.S. without inspection or admission. This latter use of parole is sometimes called “parole in place.”

Pattern or Practice— Regular, repeated and intentional acts, but does not include isolated, sporadic or accidental acts

Pay —wages or other remuneration

Permanent Resident — See Lawful permanent resident.

Permanent Resident Alien — See Lawful permanent resident.

Permanent Resident Card (Form I-551)— Also known as the green card or alien registration card, this card is issued by USCIS to aliens as evidence of their lawful permanent resident status in the United States. For Form I-9, it is acceptable as proof of both identity and employment authorization. Although some Permanent Resident Cards contain no expiration date, most are valid for 10 years. Cards held by individuals with conditional permanent resident status are valid for two years.

Port of entry — Any location in the United States or its territories that is designated as a point of entry for aliens and U.S. citizens. All district offices and service centers are also considered ports, because they become locations of entry for aliens adjusting to immigrant status.

Principal/Designated School Official (PDSO) — An individual designated by the head of an SEVP-approved school to have primary responsibility for students in that program and maintaining SEVIS records

Prosecutorial discretion —The legal authority to choose whether or not to take action against an individual for committing an offense.

Provisional waiver — Waiver for individuals who are otherwise inadmissible due to more than 180 days of unlawful presence in the United States, based on a showing of extreme hardship to certain U.S. citizen or lawful permanent resident family members, which allows the individual to return after departure for an immigrant visa interview at a U.S. embassy or consulate.



Q

R

Refugee— Generally, any person outside his or her country of nationality who is unable or unwilling to return to that country because of persecution or a well-founded fear of persecution. Persecution or the fear must be based on the person's race, religion, nationality, membership in a particular social group or political opinion. For a legal definition of refugee, see section 101(a)(42) of the Immigration and Nationality Act (INA).

Regulations—Rules issued by an executive authority, such as a government department or agency in the Executive Branch, to carry out the intent of the law. Regulations issued by the Federal Government are first published in the Federal Register, then arranged in the Code of Federal Regulations (CFR). Immigration regulations issued by the Department of Homeland Security are codified in Title 8 CFR, Aliens and Nationality

Remuneration — Anything of value given in exchange for labor or services, including food and lodging.

Responsible Officer (RO) or Alternate Responsible Officer (ARO) — An official authorized to issue Form DS-2019.

S

SEVIS ID number — Unique identifier printed on each Form I-20 or Form DS-2019 in the top right corner, which consists of an alpha character (N) and up to 11 numbers (e.g., N0002123457).

Specialty occupation— an occupation which requires theoretical and practical application of a body of highly specialized knowledge in fields of human endeavor including, but not limited to, architecture, engineering, mathematics, physical sciences, social sciences, medicine and health, education, business specialties, accounting, law, theology, and the arts, and which requires the attainment of a bachelor's degree or higher in a specific specialty, or its equivalent, as a minimum for entry into the occupation in the United States.



Student and Exchange Visitor Information System (SEVIS) — A Department of Homeland Security database developed to collect information on the F, M and J visa holders.

Student and Exchange Visitor Program (SEVP)— A government program that collects, maintains and provides information that allows legitimate foreign students or exchange visitors to gain entry into the United States. SEVP uses Web-based technology, known as the Student and Exchange Visitor Information System (SEVIS), to track and monitor schools and programs, students, exchange visitors and their dependents throughout the duration of approved participation within the U.S. education system.

Sporadic — Occurring occasionally, singly, or in irregular or random instances

T

Temporary protected status (TPS) — The Secretary of Homeland Security may designate a foreign country for TPS due to conditions in the country that temporarily prevent the country's nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately. USCIS may grant TPS to eligible nationals of certain countries (or parts of countries), who are already in the United States. Eligible individuals without nationality who last resided in the designated country may also be granted TPS. The Secretary may designate a country for TPS due to the following temporary conditions in the country: ongoing armed conflict (such as civil war); an environmental disaster (such as earthquake or hurricane); or other extraordinary and temporary conditions. Grants of TPS are initially made for periods of six to 18 months and may be extended.

U

USCIS — An abbreviation for U.S. Citizenship and Immigration Services, an agency of the Department of Homeland Security.

USCIS Number— A unique, 9-digit number assigned to a noncitizen by the Department of Homeland Security that is listed on the front of Permanent Resident Cards (Form I-551) issued after May 10, 2010. See also Alien Registration Number or Alien Number.

U.S. Citizenship and Immigration Services— A federal agency that oversees lawful immigration to the United States. Its functions include, but are not limited to, granting employment authorization to eligible aliens, issuing documentation of alien



employment authorization, maintaining Form I-9, and administering the E-Verify employment eligibility verification program

United States — the continental United States (including the District of Columbia), Alaska, Hawaii, Puerto Rico, Guam, the U.S. Virgin Islands and the Commonwealth of the Northern Mariana Islands.

V

Visa - A U.S. visa allows the bearer to apply for entry to the U.S. in a certain classification (e.g. student (F), visitor (B), temporary worker (H)). A visa does not grant the bearer the right to enter the United States. The Department of State (DOS) is responsible for visa adjudication at U.S. Embassies and Consulates outside of the U.S. The Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP) immigration inspectors determine admission into, length of stay and conditions of stay in, the U.S. at a port of entry. The information on a nonimmigrant visa only relates to when an individual may apply for entry into the U.S. DHS immigration inspectors will record the terms of your admission on your Arrival/Departure Record (I-94 white or I-94W green) and in your passport.

W, X, Y, Z

