

IGBANUGO PARTNERS

Int'l Law Firm, PLLC



**CORPORATE & BUSINESS
IMMIGRATION SERVICES**

ATTORNEYS AT LAW
www.igbanugolaw.com



A MESSAGE FROM OUR FOUNDER

Igbanugo Partners Int'l Law Firm, PLLC was founded in November 2006 to bring an innovative approach to the practice of law, and to introduce approaches to partnering and client service that are unique among top-tier boutique firms. The focus of our representation is institutional, and our long-term goal is to create a one-stop firm to meet the various needs of institutional clients in our area of specialization – U.S. Immigration & Nationality Law.

We envision a law firm that operates as an extension of your legal department, and understands the difference between costly legal problems and business problems needing legal solutions. Our core philosophy regards the law as a service business and we are keenly aware that outside counsel represents a corporate expense. For this reason, we deploy our services only to the narrowest extent necessary to accomplish a given business objective.

We are a diverse firm representing a broad range of institutional clients, including entrepreneurs, small to medium sized businesses, and multinational corporations. Our attorneys realize that the value of legal service is determined by client satisfaction and how well we contribute to our clients' success and profitability. We therefore strive to continuously improve the quality of our services and to exceed clients' expectations at all



times. Providing the best to our clients is not just a goal – it is an obligation that we deem paramount.

We are proud to have a team of legal professionals who are committed to our firm's vision. We are committed to a corporate culture that reflects our nation's diversity. We have internalized the imperative of diversity in its broadest sense. Our mix of race, religion, gender, age, culture and national origin enables us to draw upon our varied talents and experiences to best serve our clients. Our institutional clients thrive in a multicultural world - we offer them excellence in a multicultural firm.

We want to introduce who we are and what we do. We welcome the opportunity to meet with you and discuss how our firm may serve your immigration legal and business needs.

Herbert A. Igbanugo, Esq.

COMPELLING. DETAILED. UNIQUE.

IGBANUGO PARTNERS INT'L LAW FIRM, PLLC specializes in U.S. Immigration and Naturalization Law, providing an innovative approach to partnering and client service that is unique among top-tier boutique firms. Our focus is institutional and our goal is to be a one-stop law firm that meets the entire immigration legal needs of institutional clients. We have a solid history of delivering value-added service without compromise and bring a focused expertise to complex issues that lead to the best solutions to your corporate immigration problems or legal needs.



ABOUT OUR FIRM

At Igbanugo Partners Int'l Law Firm, PLLC, our attorneys work with you to efficiently and effectively manage and resolve your legal matter through assessment and consultation, comprehensive investigation, strategic planning, client-centered representation, and systematic strategy.

ASSESSMENT & CONSULTATION

To gauge the scope and level of results you can expect from your case, we provide initial consultation in addition to preliminary and in-depth assessment of your issues. Using our experience, we provide you with the team, techniques, and resources best suited to achieving the stated objectives of your case.

COMPREHENSIVE INVESTIGATION

We provide you with insights into the challenges you face and what needs to be done to avoid or positively resolve them. We then identify the strategic opportunities that come from the posture of your case and the applicable law to help you construe and develop a course of action.

STRATEGIC PLANNING

Igbanugo Partners develops and implements results-oriented action plans that provide you with both the vision and direction for your strategy in agency applications/petitions, litigation, arbitration, mediation, or settlement of your case all with clearly defined goals and a devotion to exacting detail that leads to a far greater likelihood of success.

CLIENT-CENTERED REPRESENTATION

Our lawyering and service strategies are completely aligned and in compliance with customer protocols for outside counsel. Successful representation is created and fostered through knowing what our clients desire and determining what they find frustrating when dealing with U.S. federal and state governmental agencies/bureaus, and the stress of litigation and historical relationships with outside counsel. At Igbanugo Partners, we

strive to know your business and your industry. That way, we can adopt strategies in corporate immigration services that lead to purposeful and effective representation developed in sync with client expectations.

We understand that addressing our clients' issues from a business perspective gives both the client and the firm an unparalleled opportunity to create a competitive edge toward the legal resolution of a business problem. Our uniquely structured "business-issue: legal resolution" approach toward solving client problems provides an invaluable way to add value to our clients' quest for issue resolution whether in immigration applications/petitions or litigation.

SYSTEMATIC STRATEGY

At Igbanugo Partners, we apply our vast knowledge and incorporate our extensive experience into our problem solving system comprised of business goals evaluation, the processes to effectuate and realize those goals, the team to implement the processes, and a back-office network of highly trained staff, leading-edge technology, and vast resources in support of those teams. Our unique method of providing both tactical and logistical support strategy to your case not only leads to remarkable success rates, but also allows clients greater input, flexibility, and management in the determination of the outcome.

OUR PHILOSOPHY

Finding Solutions That Exceed Client Expectations.

By design and operation, our firm philosophy is to provide uncompromising, value-added legal service consistent with the interests of our clients and the highest standards of the profession.

Igbanugo Partners has developed a reputation in the legal community as a practical, responsible, thorough, flexible and responsive partner in providing legal solutions to our clients' immigration legal needs. Our strategic, insightful, and

proactive approach to the immigration challenges faced by our institutional clients on a variety of legal landscapes is strengthened by our professional commitment to responsibility and accountability for legal matters to which we are entrusted by clients.

Ultimately, the professionals at Igbanugo Partners realize that the value of legal service is determined by client satisfaction and how well we contribute to the bottom line of their businesses. We support that philosophy with unparalleled service and a depth of legal experience in providing comprehensive and aggressive management of all facets of this complex area of law, as well as profound expertise and unwavering diligence in agency practice and federal court litigation. Simply put, we relentlessly pursue perfection in everything we do.

DIVERSITY

Embracing the imperative of diversity is central to the philosophy of Igbanugo Partners. Our diversity encompasses complex differences within our community and the individuals who

compose that community. It includes dimensions of race, ethnicity, national origin, religion, gender, age and culture. We pride ourselves on being one of the most diverse boutique firms in the country representing institutional clients. At Igbanugo Partners, our diversity is a way of life. More than one-half of our legal professionals are women or of color.

Drawing upon our varied talents and experiences has far-ranging and significant benefits for our firm and its clients. We employ a pioneering egalitarian style that deploys our lawyering with an innovative approach to partnering and client service that is unique among top-tier boutique firms.

Igbanugo Partners has truly shifted the diversity discourse from conversation to practice. Our institutional clients do business in a multicultural world; we offer them excellence in a multicultural firm.



CLIENT COMMENDATIONS

The success of the Immigration Law Practice Group at Igbanugo Partners is attributable not only to the team's in-depth legal knowledge and skills, but also to its ability to make clients feel protected when dealing with one of the most intimidating agencies in the United States – the Department of Homeland Security.

The following includes comments and reflections from a few corporate clients who have worked with Mr. Herbert Igbanugo, founding partner of Igbanugo Partners and his team.



PUTTING AMERICA TO WORK

A shortage of trained technical workers in the computer industry who are U.S. citizens has resulted in a greater demand for immigration lawyers who represent individuals and the businesses that hire them. Both need a skilled and compassionate lawyer.

“Mr. Igbanugo is one of the top ten immigration lawyers in the country,” said Ronald Warren of Northwest Airlines in Bloomington, Minnesota. Mr. Warren, who has worked with Mr. Igbanugo in another business, remarked, ***“We had worked with other lawyers and it was chaotic. Herbert came in and it became smooth running.”***

Mr. Warren explained, ***“The name of the game is time. He’s proved he can get an employee on board in record time.”***

A director at Best Buy stated: ***“As you know Nancy and I recently attended our ‘Green Card’ immigration hearing at the U.S. consulate in Montreal. Although it took several days, the process was virtually a non-event for us – the “hearing” took all of 5 minutes. I think it fitting that I pass on a comment from the officer: ‘your attorneys obviously know their business – everything is in perfect order, and we often don’t see that.’***

Thank you so much for your help and support, and your very competent work, over the past 2+ years as we’ve gone through this long process.”

Another client, assistant general counsel to a large international corporation, said, ***“When I call, I get an answer. When he says he’ll do something, he does. It is no problem for me to recommend him to other lawyers.”***

KNOWS THE ROPES

Working with the DHS can exacerbate anyone’s anxiety, as those who are involved attest.

“He achieves results in the face of as arcane, slow and cumbersome a legal process as I have ever seen,” said one corporate lawyer. ***“It puts people in jeopardy because the staff doesn’t read its mail for months.”***

Mr. Darryl Davis, former senior litigation attorney of Graco, Inc, said Mr. Igbanugo can ***“break the bureaucracy and get to the official in (the DHS office) in Lincoln, Nebraska.”***

A research scientist at Merck & Co. noted, ***“The Fedex containing my O-1 original approval notice arrived today. Thank you very much! I really appreciate a lot for all your assistance, which allows me to begin my brand new stage of life at Merck Boston next month.***

Overall, I am quite satisfied with your legal service. For example, you were always able to give on-time and quick responses to all the questions I had, either by call or email. When

my case went through difficulty, you even sacrificed your weekend to work on my application. I really appreciate a lot for all your hard-work, patience and perseverance on my case. I really want to express my great gratitude to you and your colleagues.”

“Judges and counsel for the government respect Mr. Igbanugo,” said Mr. Rafiq Antar, who translates for the immigration court in French and Arabic.

Dr. Leonid Frid explained, ***“His presence is reassuring because he has an excellent rapport with the people at the DHS, he knows them, and they respect him. When he walks in you can see he has a degree of influence. You can always tell who is an insecure attorney. You want a surgeon whose hand doesn’t shake.”***

A JOY TO WORK WITH

All clients, from the assistant general counsel to a large international corporation to a recently immigrated techie, need to feel that they like their lawyer and their lawyer likes them.

“He is a joy to work with. It feels good. He never makes us feel dumb,” said Mr. Warren.

“Mr. Igbanugo can explain the law to anyone, from a recent immigrant to the top person in the corporation,” he added.

Warm words come from the individuals who have acquired work permits or resident visas. Facing a huge challenge in a foreign country in a foreign language, clients say they found a friend as well as an advisor.

“I want to thank you and your team for putting in excellent efforts that made this possible,” said a research scientist, at Merck & Co. ***“The service provided by your firm was exemplary.”***

“He has such a good personality,” said Lolar Astvatsatourova, whose cleaning service clientele includes many foreign born workers. ***“I’m so picky. I have to find the best.”***

“Mr. Igbanugo is trustworthy,” said Mr. Antar. ***“I don’t mean just his professional ethics, but as a person.”***

This is to inform you that I received my Green Card in the mail yesterday. So all the effort has finally paid off.

A research scientist at Merck & Co. stated: ***“I would like to thank you and your co-workers for all your hard work and support that you have put in to make my application successful. Thank you so much!”***

Mr. Igbanugo has represented Dr. Leonid Frid, his wife Yael, many of the doctor’s employees, and their friends. ***“I have referred dozens and dozens of clients because he is sensitive to the issues. He understands their anxiety and will listen. There is a huge illegal population in Minnesota and sometimes they are afraid to ask questions. They can ask him questions,”*** Dr. Frid said.

Mr. Igbanugo “hand-holds,” explained Mr. Davis. ***“The immigration process can be downright humiliating. The client clearly knows Herbert is in his corner. Herbert knows the DHS’ ins and outs, but more importantly he brings a certain passion to it.”***

“The problem is that immigration clients are extremely nervous,” explained Charles Smith, a former director of information technology for Xcel Energy (formerly NSP).

He adds, ***“Herbert is good about dealing with that in a timely fashion. I’ve worked with other attorneys who are not as kind to the clients.”***

“The people who work for us are our primary interest. A lawyer who deals with us in a timely fashion and deals with them in a humane way is a huge advantage.”

BUSINESS IMMIGRATION OVERVIEW

The Immigration Law Practice Group at Igbanugo Partners provides the following reference guide to help you understand the immigration process. By reading this reference guide, you will learn about key immigration terms and phrases, what major government agencies are involved in the immigration process, frequently used nonimmigrant (temporary) visa categories, frequently used immigrant (permanent residence or green card) visa procedures, and the key immigration forms used.

If you have any questions or desire representation, counseling or advice, please contact one of our immigration attorneys at:

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We also invite you to visit our website at www.igbanugolaw.com



SUMMARY OF FREQUENTLY USED NONIMMIGRANT (TEMPORARY) BUSINESS VISA CATEGORIES

VISA TYPE & DESIGNATION	Business Visitor (B-1)
GOVERNING PROVISION OF LAW	<ul style="list-style-type: none"> • INA § 101(a)(15)(B) • 8 USC § 1101(a)(15)(B) • 8 CFR § 214.2(b); 22 CFR § 41.31
PURPOSE AND USAGE	<ul style="list-style-type: none"> • Temporary visit for business (conventions, conferences, consultations, or other legitimate activities of a commercial or professional nature). Not for the purpose of obtaining or engaging in employment in the U.S.
SUMMARY OF ELIGIBILITY REQUIREMENTS	<p>Alien must meet all of the following criteria:</p> <ul style="list-style-type: none"> • Maintain permanent residence abroad. • Intend to return home with no plans to immigrate to the U.S., and intend to depart the U.S. at end of U.S. CIS authorized period of temporary stay. • Make adequate financial arrangements for stay and departure from the U.S.
<p>APPLICATION PROCEDURE</p> <p>Eligibility for nonimmigrant visas varies significantly from one category to another. Most visas require the filing of a predicate petition with U.S. CIS; a few visa categories require the alien applicant to apply directly to a U.S. Embassy abroad.</p>	<ul style="list-style-type: none"> • Citizens of certain countries, mostly in the Western Hemisphere, are eligible to visit the U.S. for up to 90 days without a B-1/B-2 visa under the Visa Waiver Pilot Program (VWPP). Aliens from countries participating in VWPP must have a passport issued by a VWPP country, travel on a nonrefundable round-trip ticket, and complete Form I94W (Nonimmigrant Visa Waiver Arrival/Departure Form) or at port of entry. • Citizens of non-VWPP countries must file Form OF-156 and other supporting documents with U.S. Embassy abroad. • For extension of B-1/B-2 status, applicant must file Form I-539 and supporting documents with U.S. CIS.
DURATION OF STATUS	Extensions of up to 6 months or more depending on circumstances.
DERIVATIVE STATUS FOR ELIGIBLE FAMILY MEMBERS OF PRINCIPAL APPLICANT	B-1/B-2

VISA TYPE & DESIGNATION	Treaty Traders (E-1) Treaty Investors (E-2)
GOVERNING PROVISION OF LAW	<ul style="list-style-type: none"> • INA § 101(a)(15)(E) • 8 USC § 1101(a)(15)(E) • 8 CFR § 214.2(e); 22 CFR § 41.51
PURPOSE AND USAGE	Permits treaty “traders” (E-1) or “investors” (E-2) from eligible countries to work in the U.S. for companies they own. Also permits entry of executive, managerial, supervisory, or essential employees of E-1 or E-2 aliens to the U.S.
SUMMARY OF ELIGIBILITY REQUIREMENTS	<ul style="list-style-type: none"> • Must have requisite treaty between the United States and the country of the applicant’s nationality. The individual or business must have the nationality of a treaty country. Nationality of business entity is determined by nationality of majority owners of the business. • Treaty trader visas (E-1) are available to qualifying owners and employees when substantial trade requirements between the U.S. and the treaty country are met. • Treaty investor visas (E-2) are available to qualifying owners/investors and employees when foreign investor satisfies the “substantial investment” criteria. • If employee, must be executive or supervisory, or be essential worker.
APPLICATION PROCEDURE Eligibility for nonimmigrant visas varies significantly from one category to another. Most visas require the filing of a predicate petition with U.S. CIS; a few visa categories require the alien applicant to apply directly to a U.S. Embassy abroad.	<ul style="list-style-type: none"> • When alien is overseas, he or she files Form DS-156, Form DS-156E, and supporting documents with U.S. Embassy or consulate. • If alien is in the U.S. in another legal status, employer files Form I-129, E-Supplement, and supporting documents with U.S. CIS.
DURATION OF STATUS	<ul style="list-style-type: none"> • Initial admission for up to 2 years and extensions in increments of up to 2 years. • Number of extensions limited by life of treaty.
DERIVATIVE STATUS FOR ELIGIBLE FAMILY MEMBERS OF PRINCIPAL APPLICANT	<ul style="list-style-type: none"> • E-1/E-2 spouse eligible for employment authorization. • E-1/E-2 status for spouse and children, regardless of their nationality.

VISA TYPE & DESIGNATION	Professional Worker in a Specialty Occupation (H-1B)
GOVERNING PROVISION OF LAW	<ul style="list-style-type: none"> • INA § 101(a)(15)(H) • 8 USC § 1101(a)(15)(H), 1182(n) • 8 CFR § 214.2(h); 22 CFR §§ 655.730-.760; 22 CFR § 41.53
PURPOSE AND USAGE	<ul style="list-style-type: none"> • Permits employers to fill professional level positions requiring at least a bachelor's degree in the professional field of endeavor. • Amenable to "dual intent" doctrine (nonimmigrant and immigrant intent).
SUMMARY OF ELIGIBILITY REQUIREMENTS	<ul style="list-style-type: none"> • Job requires a person with at least a bachelor's degree to fill a "specialty occupation." • Alien beneficiary possesses equivalent of U.S. bachelor's degree or higher in a specific specialty and full state licensure (if license required to practice profession). • Employer must offer prevailing wage that meets DOL criteria.
APPLICATION PROCEDURE Eligibility for nonimmigrant visas varies significantly from one category to another. Most visas require the filing of a predicate petition with U.S. CIS; a few visa categories require the alien applicant to apply directly to a U.S. Embassy abroad.	<ul style="list-style-type: none"> • Employer obtains prevailing wage determination for the offered position. • Employer files Form ETA-9035 (Labor Condition Application) and complies with internal posting and record-keeping requirements. • Employer files Form I-129 and essential supporting documents with U.S. CIS Service Center with jurisdiction of area where the beneficiary will be performing services. • If alien beneficiary is overseas, he/she must present approval notice to U.S. Embassy or Consular Post in order to obtain visa. If in the U.S. in legal status, he/she must apply for change to H-1B.
DURATION OF STATUS	<ul style="list-style-type: none"> • Initial admission for up to 3 years; extension of additional 3 years (6 years total). Additional extensions permitted if alien is beneficiary of Labor Certification Application or employment-based (EB) immigrant petition, which has been pending for 365 days or more.
DERIVATIVE STATUS FOR ELIGIBLE FAMILY MEMBERS OF PRINCIPAL	H-4

VISA TYPE & DESIGNATION	Intra-company Transferee – Executive or Managerial (L-1A)
GOVERNING PROVISION OF LAW	<ul style="list-style-type: none"> • INA § 101(a)(15)(L), 101(a)(44) • 8 USC § 1101(a)(15)(L), 1101(a)(44) • 8 CFR § 214.2(l); 22 CFR § 41.54
PURPOSE AND USAGE	<ul style="list-style-type: none"> • For admission of executive or managerial employee of a qualifying related company in the U.S. • Amenable to “dual intent” doctrine (nonimmigrant and immigrant intent).
SUMMARY OF ELIGIBILITY REQUIREMENTS	<ul style="list-style-type: none"> • Alien has worked abroad for 1 continuous year within the preceding 3 years in an executive, managerial, or specialized knowledge capacity for a qualifying related business organization (parent, subsidiary, branch, affiliate, or joint venture partner). • Alien must be coming to U.S. to work in an executive or managerial capacity for a qualifying related business entity.
APPLICATION PROCEDURE Eligibility for nonimmigrant visas varies significantly from one category to another. Most visas require the filing of a predicate petition with U.S. CIS; a few visa categories require the alien applicant to apply directly to a U.S. Embassy abroad.	<ul style="list-style-type: none"> • Employer files Form I-129, L-Supplement, and supporting documents with U.S. CIS. (Under NAFTA, Canadian citizens may file or apply directly at port of entry.) • May obtain extensions by filing Form I-129, L-Supplement, and supporting documents with U.S. CIS. • Blanket petitions are allowed for employers where all entities are engaged in commercial trade, U.S. office has been doing business for one year or more, and entity has three or more domestic or foreign branches, subsidiaries, or affiliates, and at least 10 approvals, \$25 million in annual sales, or U.S. workforce of at least 1,000 employees.
DURATION OF STATUS	<ul style="list-style-type: none"> • Initial admission for up to 3 years; extension of additional 4 years (7 years total). • Initial admission limited to 1 year for alien beneficiaries coming to the U.S. to open a new office.
DERIVATIVE STATUS FOR ELIGIBLE FAMILY MEMBERS OF PRINCIPAL APPLICANT	L-2 status for spouse and children, and L-2 spouse is eligible for employment authorization.

VISA TYPE & DESIGNATION	Intra-company Transferee – Specialized Knowledge (L-1B)
GOVERNING PROVISION OF LAW	<ul style="list-style-type: none"> • INA § 101(a)(15)(L) • 8 USC § 1101(a)(15)(L) • 8 CFR § 214.2(l); 22 CFR § 41.54
PURPOSE AND USAGE	<ul style="list-style-type: none"> • For admission of specialized knowledge employee of a qualifying related company. • Amenable to “dual intent” doctrine (nonimmigrant and immigrant intent).
SUMMARY OF ELIGIBILITY REQUIREMENTS	<ul style="list-style-type: none"> • Alien has worked abroad for 1 continuous year within the preceding 3 years in an executive, managerial, or specialized knowledge capacity for a qualifying related business organization (parent, subsidiary, branch, affiliate, joint venture).
APPLICATION PROCEDURE Eligibility for nonimmigrant visas varies significantly from one category to another. Most visas require the filing of a predicate petition with U.S. CIS; a few visa categories require the alien applicant to apply directly to a U.S. Embassy abroad.	<ul style="list-style-type: none"> • Employer files Form I-129, and supporting documents with U.S. CIS. (Canadian citizens may file at port of entry.) • May obtain extensions by filing Form I-129, L-Supplement, and supporting documents with U.S. CIS. • Blanket petitions are allowed for employers that qualify, but only for specialized knowledge professionals.
DURATION OF STATUS	<ul style="list-style-type: none"> • Initial admission for up to 3 years; extension of additional 2 years (5 years total). • If initially admitted in specialized knowledge category and then promoted to executive or managerial capacity, alien must be an executive/manager for at least 6 months to qualify for 7-year stay.
DERIVATIVE STATUS FOR ELIGIBLE FAMILY MEMBERS OF PRINCIPAL APPLICANT	L-2 for dependent spouse and children, and L-2 spouse is eligible for employment authorization.

VISA TYPE & DESIGNATION	Individuals of Extraordinary Ability or Achievement (O-1) Aliens Accompanying Individuals of Extraordinary Ability or Achievement (O-2)
GOVERNING PROVISION OF LAW	<ul style="list-style-type: none"> • INA § 101(a)(15)(O) • 8 USC § 1101(a)(15)(O) • 8 CFR § 214.2(o); 22 CFR § 41.55
PURPOSE AND USAGE	<ul style="list-style-type: none"> • O-1: For artists, athletes, entertainers, business people, and others with extraordinary abilities. • O-2: For persons integral to the performance of O-1 aliens in the arts, motion pictures, television, and athletics.
SUMMARY OF ELIGIBILITY REQUIREMENTS	<ul style="list-style-type: none"> • O-1: Alien must possess extraordinary ability and show sustained national or international acclaim. Scientists, educators, businesspersons, and athletes must demonstrate level of expertise showing they have risen to very top of their field of endeavor. • O-2: Employer must show that O-2 alien will enter U.S. for the sole purpose of assisting O-1 alien's performance; is an integral part of the performance; has critical skills and experience that U.S. workers cannot perform; and has a foreign residence they do not intend to abandon.
APPLICATION PROCEDURE Eligibility for nonimmigrant visas varies significantly from one category to another. Most visas require the filing of a predicate petition with U.S. CIS; a few visa categories require the alien applicant to apply directly to a U.S. Embassy abroad.	<ul style="list-style-type: none"> • Must obtain advisory opinion from an appropriate labor management organization or peer group, or show that such an organization does not exist (advisory opinion requirement may be waived for certain O-1 aliens). • Employer files Form I-129, O-Supplement, and supporting documents with U.S. CIS. • After employer receives approval, O-1 alien applies for visa at consulate abroad. (Canadian citizens do not need to apply at consulate abroad; instead, they may present approval notice at port of entry.)
DURATION OF STATUS	<ul style="list-style-type: none"> • For extensions, employer must timely file Form I-129, O-Supplement, and essential supporting documents with U.S. CIS. • Initial admission is for period necessary to complete the event or activity up to a total of 3 years. There is no stated limit on the number of extensions.
DERIVATIVE STATUS FOR ELIGIBLE FAMILY MEMBERS OF PRINCIPAL APPLICANT	O-3

VISA TYPE & DESIGNATION	Business Professionals Under the North American Free Trade Agreement (NAFTA) (TN-1 Status)
GOVERNING PROVISION OF LAW	<ul style="list-style-type: none"> • INA § 214(e) • 8 USC § 1184(e) • 8 CFR § 214.6; 22 CFR § 41.59
PURPOSE AND USAGE	<ul style="list-style-type: none"> • For Canadian and Mexican citizens in specified professions to enter U.S. in 3-year increments. • Can be an alternative to H and L status when restrictions apply. • More user friendly for Canadian citizens than for Mexican citizens because of more stringent requirements for Mexican nationals.
SUMMARY OF ELIGIBILITY REQUIREMENTS	<ul style="list-style-type: none"> • The activity must be listed on NAFTA Schedule 2. See 8 CFR § 214.6. • Alien possesses the academic requirements listed for the profession on NAFTA, Appendix 1603D.1.
APPLICATION PROCEDURE Eligibility for nonimmigrant visas varies significantly from one category to another. Most visas require the filing of a predicate petition with U.S. CIS; a few visa categories require the alien applicant to apply directly to a U.S. Embassy abroad.	Canadian citizens: <ul style="list-style-type: none"> • At port of entry, he/she must provide proof of Canadian citizenship, evidence that the intended activity is one of the activities listed on NAFTA Schedule 2, evidence of educational credentials, proof of license to practice in the profession (if license is required), supporting employer letter, and any other supporting documentation. If already in U.S. in another status, he/she may apply for change of nonimmigrant status on Form I-129. Mexican citizens: <ul style="list-style-type: none"> • Apply at consular sections around the world.
DURATION OF STATUS	Up to initial maximum period of 3 years; extensions of 3 years
DERIVATIVE STATUS FOR ELIGIBLE FAMILY MEMBERS OF PRINCIPAL APPLICANT	TD

SUMMARY OF FREQUENTLY USED PROCEDURES TO OBTAIN EMPLOYMENT-BASED PERMANENT RESIDENCY

VISA TYPE & DESIGNATION	First Preference (EB-1)
ELIGIBLE PERSONS	<ul style="list-style-type: none"> • Priority workers • Aliens of extraordinary ability / Outstanding professors and researchers / Multinational managers/executives
GOVERNING PROVISION OF LAW	<ul style="list-style-type: none"> • INA § 203(b)(1) • 8 USC § 1153(b)(1) • 8 CFR § 204.5
SUMMARY OF ELIGIBILITY REQUIREMENTS	<p>Extraordinary ability aliens:</p> <ul style="list-style-type: none"> • Must demonstrate extraordinary ability in science, art, education, business, or athletics via sustained national or international acclaim; must show by extensive documentation that they have risen to the very top of the field of endeavor; documentation must fall within criteria set forth in 8 CFR § 204.5(h). • No job offer is required, and candidates can self-petition. <p>Outstanding professors and researchers:</p> <ul style="list-style-type: none"> • Must be able to show international recognition as outstanding in a specific academic field; have at least 3 years experience in teaching or research; must be coming to accept tenured or tenure track teaching or comparable research position at university, other institution of higher education, or private company. • Must have a job offer; only employers can petition. <p>Multinational executives/managers:</p> <ul style="list-style-type: none"> • Must be employed abroad in that capacity for at least 1 of the past 3 years, and seek entry to provide executive/managerial service to same employer or to a subsidiary, parent, branch, or affiliate. • Must have a job offer and only an employer can file petition.

VISA TYPE & DESIGNATION	First Preference (EB-1)
PROCEDURE FOR OBTAINING GREEN CARD (LAWFUL PERMANENT RESIDENT STATUS “LPR”)	<ol style="list-style-type: none">1. File Form I-140 and supporting documents with U.S. CIS Service Center. Alien may not file an immigrant visa application until “priority date” is current or a visa becomes immediately available. Availability of visas depends on the “priority date,” the date when alien filed Form I-140.2. When a visa becomes available, alien has two options:<ol style="list-style-type: none">a. Visa processing:<ol style="list-style-type: none">i. Can obtain immigrant visa from consulate abroad.b. Adjustment of status:<ol style="list-style-type: none">i. An alien in the U.S. may file Form I-485 with U.S. CIS to adjust status.

VISA TYPE & DESIGNATION	Second Preference (EB-2)
ELIGIBLE CANDIDATES	<ul style="list-style-type: none"> • Members of the professions holding advanced degrees. • Aliens with exceptional ability in the sciences, arts or business. • Priority workers.
GOVERNING PROVISION OF LAW	<ul style="list-style-type: none"> • INA § 101(a)(32), 203(b)(2) • 8 USC § 1101(a)(32), 1153(b)(2) • 8 CFR § 204.5(k); 20 CFR §§ 656.1-656.62
SUMMARY OF ELIGIBILITY REQUIREMENTS	<p>Professionals holding advanced degrees:</p> <ul style="list-style-type: none"> • Alien must hold a U.S. degree or foreign equivalent beyond a bachelor’s degree (usually a master’s) or a bachelor’s plus 5 years of progressive work experience. <p>Exceptional ability workers:</p> <ul style="list-style-type: none"> • Must show exceptional ability in the sciences, arts, athletics, or business; a degree of expertise significantly above the ordinary. <p>National interest waiver:</p> <ul style="list-style-type: none"> • If the foreign national will promote the “national interest” by his admission, U.S. CIS may waive the labor certification requirement. Alien can self-petition.

VISA TYPE & DESIGNATION	Second Preference (EB-2)
<p>APPLICATION PROCEDURE</p> <p>Eligibility for nonimmigrant visas varies significantly from one category to another. Most visas require the filing of a predicate petition with U.S. CIS; a few visa categories require the alien applicant to apply directly to a U.S. Embassy abroad.</p>	<ol style="list-style-type: none"> 1. Labor Certification: Program Electronic Review Management, (referred to as "PERM") replaced the prior processes known as traditional labor certification and reduction-in-recruitment. The employer must file an application for permanent employment certification on Form ETA 9089 with the DOL. <ul style="list-style-type: none"> • Employer is required to complete the following recruitment activity before filing an application for labor certification: <ol style="list-style-type: none"> a. 2 ads in two different Sunday editions of the local newspaper (ads may be on concurrent Sunday's); b. A Notice of Job Opening based on the job description must be posted on the job-site for 10 consecutive working days; and c. Placement of a job order for 30 days with the State Workforce Agency. • If the position is a professional position, the employer must demonstrate recruitment in an additional 3 recruitment sources. A position is considered professional if a bachelor's degree or higher is required in order to qualify for the position. The additional sources include the following: <ol style="list-style-type: none"> a. Job fairs; b. Employer's web site; c. Job search web sites; d. On-campus recruiting; e. Professional or trade organization search; f. Private employment firms or placement agencies; g. Employee referral programs with incentives; h. Campus placement offices; i. Local and ethnic newspapers; or j. Radio or television ads. 2. After DOL grants labor certification, employer files Form I-140 with supporting documents.

VISA TYPE & DESIGNATION	Third Preference (EB-3)
ELIGIBLE CANDIDATES	Skilled workers, professionals, and other workers
GOVERNING PROVISION OF LAW	<ul style="list-style-type: none"> • INA § 203(b)(3) • 8 USC § 1153(b)(3) • 8 CFR § 204.5(1); 20 CFR §§ 656.1-656.62
SUMMARY OF ELIGIBILITY REQUIREMENTS	<p>All EB-3 aliens must have a permanent, full-time job offer.</p> <p>Skilled workers:</p> <ul style="list-style-type: none"> • Are in positions requiring a minimum of 2 years training or experience. Relevant post-secondary education counts as training. <p>Professionals:</p> <ul style="list-style-type: none"> • Must have a U.S. bachelor's degree or foreign equivalent. <p>Other workers:</p> <ul style="list-style-type: none"> • Are in positions requiring less than 2 years of higher education, training, or experience. Lengthy backlog makes it extremely difficult to obtain visas through this classification.
<p>APPLICATION PROCEDURE</p> <p>Eligibility for nonimmigrant visas varies significantly from one category to another. Most visas require the filing of a predicate petition with U.S. CIS; a few visa categories require the alien applicant to apply directly to a U.S. Embassy abroad.</p>	<ol style="list-style-type: none"> 1. Obtain labor certification by filing Form ETA-9089 and supporting documents with DOL. 2. After DOL grants certification, employer files Form I-140 with supporting documents.

VISA TYPE & DESIGNATION	Fourth Preference (EB-4)
ELIGIBLE CANDIDATES	“Special immigrants,” including some religious workers
GOVERNING PROVISION OF LAW	<ul style="list-style-type: none"> • INA §§ 101(a)(27)(C), 203(b)(4) • 8 USC § 1101(a)(27)(C), 1153(b)(4) • 8 CFR § 204.5(m); 22 CFR § 42.32
SUMMARY OF ELIGIBILITY REQUIREMENTS	<p>Religious workers must:</p> <ul style="list-style-type: none"> • Be a member of a religious denomination that is recognized as a bona fide nonprofit religious organization in the U.S. • Have been a member of this religious domination for at least two years preceding the filing of the visa application. • Be seeking to enter the U.S. solely to – <ul style="list-style-type: none"> • Work as a minister of the denomination, and has a firm offer of employment; • Work in a professional capacity in a religious vocation or occupation for the religious organization; or • Work in a religious vocation or occupation for the religious organization or its tax-exempt, nonprofit affiliate. • Have been performing the vocation or professional work for a continuous period of at least 2 years.
APPLICATION PROCEDURE Eligibility for nonimmigrant visas varies significantly from one category to another. Most visas require the filing of a predicate petition with U.S. CIS; a few visa categories require the alien applicant to apply directly to a U.S. Embassy abroad.	Must file Form I-360 (Petition for Special Immigrant) and supporting documents with U.S. CIS. File Form I-485 to adjust status after I-360 approval.

VISA TYPE & DESIGNATION	Fifth Preference (EB-5)
ELIGIBLE CANDIDATES	Investors who will create sustained employment (for a minimum of 2 years) in U.S.
GOVERNING PROVISION OF LAW	<ul style="list-style-type: none"> • INA § 203(b)(5) • 8 USC § 1153(b)(5) • 8 CFR § 204.6
SUMMARY OF ELIGIBILITY REQUIREMENTS	<ul style="list-style-type: none"> • Alien must invest or be actively in process of investing at least \$1 million in a “new commercial enterprise” or “troubled business entity” enterprise. • The capital invested must be obtained through lawful means. • The enterprise must benefit U.S. economy and create full-time employment for not less than 10 U.S. workers. • Investor must be engaged in management of the enterprise, either through day-to-day managerial control or creation of corporate policy.
<p data-bbox="110 896 597 934">APPLICATION PROCEDURE</p> <p data-bbox="110 976 597 1297">Eligibility for nonimmigrant visas varies significantly from one category to another. Most visas require the filing of a predicate petition with U.S. CIS; a few visa categories require the alien applicant to apply directly to a U.S. Embassy abroad.</p>	<ol style="list-style-type: none"> <li data-bbox="630 896 1529 1260">1. Alien files Form I-526 (Immigrant Petition by Alien Entrepreneur) with supporting documentation with U.S. CIS Service Center. <ul style="list-style-type: none"> <li data-bbox="686 1024 1529 1176">• If alien intends to adjust status to permanent resident status in the U.S., he/she may file Form I-485 along with Form I-526, or may indicate intent to file Form I-485 upon approval of I-526. <li data-bbox="686 1186 1529 1260">• Alternatively, alien may indicate intent to process at U.S. consulate abroad. <li data-bbox="630 1302 1529 1423">2. Alien is initially granted conditional resident status for two years after which conditions can be removed if eligibility requirements are sustained.

GLOSSARY OF KEY IMMIGRATION TERMS & PHRASES

Adjustment of Status (AOS): the process of changing from a lawful, nonimmigrant status to that of lawful permanent resident status within the U.S. AOS can also be achieved from an unlawful status in removal proceedings under certain circumstances.

Advance Parole: permission for certain foreign nationals who do not have a valid immigrant visa to re-enter the U.S. after traveling abroad. Those individuals must be approved for Advance Parole before leaving the U.S. If they have not obtained Advance Parole before traveling abroad, they will not be permitted to re-enter the U.S. upon their return. With the exception of applicants with valid H or L visas, advance parole is required for all individuals with an adjustment application pending during the period of travel. Advance Parole does not guarantee re-entry. Consult an attorney before traveling with Advance Parole.

Alien: “alien” is the legal term of art used to describe anyone who is not a natural born or naturalized U.S. citizen or national of the U.S. The term “citizen” is not defined in the INA; a “national” of the U.S. is defined to include a citizen of the U.S. and any other person who, although not a U.S. citizen, owes allegiance to the U.S.

Admission: the concept of “admission” was added to U.S. Immigration Law Lexicon by the 1996 Illegal Immigration Reform & Immigrant Responsibility Act. It replaces the old concept of “entry.” Admission is defined as the lawful entry into the U.S. after due inspection and permission to enter, issued by a U.S. CBP inspector at the port of entry or on deferred inspection. An alien seeking admission is subject to grounds of inadmissibility, while an alien who has been admitted is subject to removal or deportation grounds.

Affidavit of Support: a document filed in support of family-based and certain employment-based adjustment of status or immigrant visa applications. An affidavit of support is required in conjunction with an immediate relative petition and employment petition when the beneficiary is a relative.

Alien Labor Certification: Department of Labor certification that there is an insufficient number of U.S. workers able, willing, qualified, and available in the area of the proposed employment and that hiring a qualified alien will not adversely affect similarly situated U.S. workers.

Asylee: the immigration status of an applicant who applies from within the U.S. and establishes that he or she is a refugee for purposes of receiving asylum. After one year as an “asylee”, the alien may apply to become a lawful permanent resident.

Child: an unmarried person under 21 who is either 1) legitimate child; 2) stepchild; 3) child legitimated before reaching eighteen-years-old; 4) illegitimate child; 5) child adopted when he or she is younger than sixteen years old; or 6) orphan.

Conditional Permanent Resident Status: status given to spouse and children obtaining permanent residency through marriage to a US citizen if the status is conferred before the couple’s second anniversary or as an immigrant investor. At the end of the conditional period, the alien must petition to remove the condition.

Consular Processing: the process of applying for an immigrant visa outside the U.S.

Deferred Enforced Departure (DED): term of art for programs that were established by the U.S. Attorney General (AG). These programs have permitted the AG in his/her discretion to enjoin, in effect, the removal of aliens from particular countries who fear return because of sudden political changes in their countries of origin or for other reasons. An alien cannot apply for DED; no application process exists for it. An alien may, however, be the beneficiary of a program established by the AG for nationals of his/her country. Each program is designed to be temporary and usually arises out of rapid political changes in a country.

Employment Authorization Document (EAD): numerous nonimmigrant visa holders require, as an incident of their visa status, authorization to work in the U.S. Employment authorization has no limits in some instances, while in other situations, is tied to a particular employer or pursuant to specific or measured U.S. CIS approval. Increasingly, the U.S. CIS is issuing a card with photo and fingerprint known as an Employment Authorization Document (EAD) to confirm an alien's authorization to work in the U.S.

Employer Sanctions: pursuant to the Immigration Reform and Control Act of 1986 (IRCA) employers face civil and criminal penalties if they hire or continue to employ aliens who are not authorized to work in the U.S.

Employment Verification: paperwork procedures established by the Immigration Reform and Control Act of 1986 require employers to verify the identity and employment eligibility of their employees on Form I-9 for all individuals hired on or after November 7, 1986.

Following to Join: qualifying immediate relatives attempting to obtain derivative status after a principal beneficiary is in permanent status for 4 months. The criteria for following to join are: (1) the person seeking entry is the spouse or child of the principal beneficiary before the beneficiary's entry into the U.S.; (2) that the spouse or child not precede the principal beneficiary to U.S.; and, (3) that the time period of the child or spouse's entry is more than 4 months and without time limit so long as the child or spouse maintains his or her respective status.

H-1B Dependent Employers: under the American Competitiveness and Workforce Improvement Act of 1998 (ACWIA), certain employers who employ a high percentage of H-1B dependent employees are required to meet additional requirements in order for the U.S. CIS to approve other H-1B employees.

I-94 card: card given upon entry to the U.S. to an alien with a non-immigrant visa that indicates the length and terms of the alien's stay.

"Illegal" Alien: foreign nationals who enter the U.S. without proper documentation (i.e., without U.S. CIS permission) or who are present in the U.S. in violation of law are referred to as illegal aliens.

Immigrant: foreign nationals who are granted the right to permanently reside in the U.S. are referred to as immigrants. Aliens can acquire permanent resident status in the U.S. in many ways, such as through an employment-based petition filed by an employer, a family-based petition filed by a U.S. citizen or permanent resident family member, or humanitarian-based petition filed by an individual for refugee or asylee status. Lawful permanent residents are entitled to privileges and protections under the U.S. Constitution, but not the full myriad of rights afforded citizens.

Immigrant Visa: a visa document that allows an alien to enter the U.S. with the intention of remaining permanently. A consular officer outside the U.S. issues the document if the person meets the criteria and is not barred from entering the country.

Naturalization: the process of attaining citizenship status in a country. Excludes citizenship that a person obtains at birth.

Non-immigrant: a nonimmigrant is a foreign national who must demonstrate that he or she is coming to the U.S. temporarily and has no intention of abandoning his or her permanent residence abroad. The requirement of proving nonimmigrant intent does not apply to foreign nationals in H or L status. A nonimmigrant must receive U.S. CIS approval to engage in certain activities. Some nonimmigrant visa categories provide employment authorization; and if such authorization is granted, it is limited in duration of time, and is usually employer-specific.

“Out of Status” Alien: a nonimmigrant whose authorized period of stay has expired. The authorized stay of a nonimmigrant expires on a predetermined date or upon the occurrence of an event (e.g., for F-1 students, the completion of their studies). When the status of a nonimmigrant, the individual becomes “out of status.”

Parole: when the U.S. CBP allows someone to come into the U.S. without actually admitting them. A person who paroled into the U.S. does not have the same status or legal rights as someone whom the U.S. CBP admits into the country.

Particularly Serious Crime: for asylum purposes, it is defined by immigration law as a conviction for an “aggravated felony.”

Passport: a travel document issued by proper authorities showing the traveler’s origin, identity, and nationality, which is valid for the admission of the traveler into a foreign country.

Permanent Resident Status: the status of having been lawfully awarded the privilege of residing permanently in the U.S. as an immigrant consistent with the U.S. immigration laws, such status not having changed.

Preference: refers to the level of priority that the U.S. government has given to various visa categories. Each category is allocated a set number of visas per year. The categories apply to family immigrant visas for those not considered immediate relatives and to employment immigrant visas. Specifically, the categories are:

- EB-1: Priority Workers. 28.6% of worldwide visas plus unused investor and special immigrant visas. (1) Persons of extraordinary ability; (2) Outstanding professors and researchers; and (3) Multinational executives and managers.
- EB-2: Members of the Professions Holding Advanced Degrees or Aliens of Exceptional Ability. 28.6% of worldwide visas plus unused priority workers.
- EB-3: Skilled Workers, Professionals and Other Workers. 28.6% of worldwide visas plus unused visas in the priority worker and professional categories.
- EB-4: Special Immigrants. 7.1% of worldwide visas per year with a 5,000 limitation on religious workers. Does not include returning LPRs or former citizens seeking reacquisition of citizenship.

- EB-5: Employment Creation (investors). 7.1% of visas per year of which 3,000 are set aside for targeted employment areas.
- Family First Preference: Unmarried sons and daughters of U.S. citizens (USCs). 23,400 plus unused Fourth Preference.
- Family Second Preference: Spouses and unmarried children and sons and daughters of lawful permanent resident (LPR). Divided between 2A and 2B - 114,200 plus excess over 226,000 plus unused First Preference. 2A - spouses and unmarried children of LPR. 77% of visas to the 2A category and 75% of the 77% are not subject to per country limitations (2A exempt). 2B - unmarried sons and daughters of LPRs are given 23% of the visas.
- Family Third Preference: married sons and daughters of USCs. 23,400 plus unused First and Second Preference.
- Family Fourth Preference: brothers and sisters of USCs. 65,000 plus any unused First, Second, and Third Preference.

Priority Date: date that determines the order in which the Department of State issues visas based on the preference system. For employment-based cases, the priority date is either the date the labor certification is filed or the date that the preference immigrant visa petition is filed with U.S. CIS under any category not needing a labor certification. For families, the priority date is the date the preference petition (I-130) is filed, which under U.S. CIS regulations requires receipt of the filing fee and a signed petition. It is not the date the petition is approved.

Re-entry Permit: travel document issued to a permanent resident to travel abroad. This document allows the permanent resident to re-enter the U.S. if he or she travels for an extended period outside of the U.S.

Refugee: a person who is “outside any country of such person’s nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of that country because of past persecution or a well-founded fear of future persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.”

Status Violator: a person who violates the terms of his or her nonimmigrant status, such as working without permission. This is not the same as someone who is unlawfully present because he or she overstayed.

Temporary Protected Status (TPS): a status granted to certain individuals when their native country is undergoing extraordinary and temporary conditions. A person with this status may remain in the U.S. for six to eighteen months and receive employment authorization.

“Unauthorized” Alien: an alien is unauthorized if he/she is not an alien lawfully admitted as a permanent resident (Green Card holder), and his/her period of authorized stay in nonimmigrant status or temporary work authorization status has expired.

Unlawful Presence: U.S. immigration laws provide grounds for inadmissibility for three years for a foreign national who has been unlawfully present in the U.S. for more than 180 days, or for ten years if unlawfully present for one year or more.

MAJOR GOVERNMENT AGENCIES INVOLVED IN THE IMMIGRATION PROCESS

U.S. Department of Homeland Security

The Department of Homeland Security exercises extensive control over immigration issues in the U.S. through three divisions, U.S. Citizenship and Immigration Services (USCIS), Immigration and Customs Enforcement (ICE), and the Customs and Border Protection (CBP). The Department of Homeland Security adjudicates almost all immigration-related petitions at one of five USCIS Regional Service Centers. The service centers are located in California, Missouri, Nebraska, Texas, and Vermont.

U.S. Department of State

The Department of State (DOS), through U.S. embassies and Consular Posts, issues nonimmigrant and immigrant visas to foreign nationals. The DOS' issuance of a nonimmigrant or immigrant visa does not guarantee entry to the U.S. It is simply permission to travel to the U.S. and seek admission from the CBP inspector at the port of entry to be admitted in lawful immigrant or nonimmigrant status. U.S. CIS directs visa policy under the terms of a Memorandum of Understanding with DOS.

U.S. Department of Justice

The Department of Justice (DOJ) retains certain immigration-related responsibilities of legacy INS within the Department of Homeland Security. The Executive Office for Immigration Review (EOIR) remains within the DOJ under the authority of the Attorney General. EOIR includes the Immigration Courts and the Board of Immigration Appeals (BIA). Immigration Judges are appointed and supervised by the Attorney General. They decide cases in removal proceedings, including whether individuals are subject to removal and whether they are eligible for any form of relief. These forms of relief may include asylum, withholding of removal, cancellation of removal, or adjustment of status. The BIA decides cases on appeal from Immigration Court.

U.S. Department of Labor

The basic function of the Department of Labor (DOL) in the immigration process is to protect the wages and working conditions of U.S. workers. DOL must certify that wages and working conditions provided by employers to alien employees meet average prevailing wage and working conditions of U.S. workers similarly situated. For many immigrant classifications, the DOL working in conjunction with State Workforce Agencies (SWA) supervises the labor certification process. Effective January 1, 2010, Prevailing Wage Rate (PWR) will be processed by the DOL.

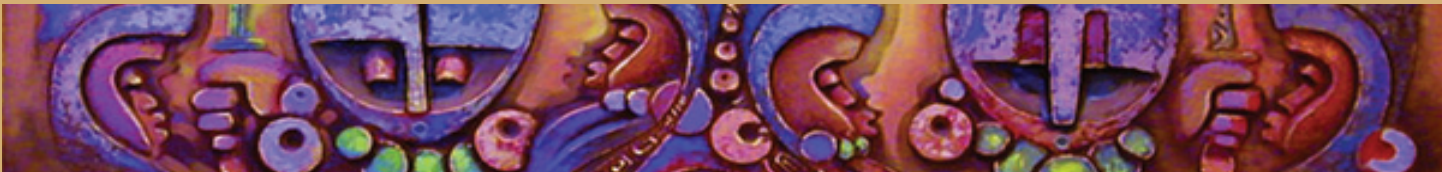
State Workforce Agencies

State Workforce Agencies (SWA) exist in all fifty states of the union and are integral to the labor certification process. In the State of Minnesota, the SWA is the Minnesota Department of Employment and Economic Development (MN DEED). Although the U.S. Department of Labor (DOL) regional certifying officers (COs) rule on the labor certification applications, the SWA assists with several preliminary steps in the application process. The SWA reviews the job opportunity and assigns it a job title from the Dictionary of Occupational Titles (DOT) and also determines the requisite prevailing wage for the recruitment campaign.

GLOSSARY OF KEY IMMIGRATION FORMS & USAGE

FORM TITLE AND USAGE

- I-9 Employment Eligibility Verification.**
Completed by employer and all new hires (both U.S. citizens and foreign nationals) to verify the individual's identity and eligibility to reside and work in the U.S.
- I-129 Petition for a Nonimmigrant Worker.**
Primary form used to obtain and extend many of the professional and non-professional nonimmigrant worker statuses, such as E-1, E-2 H-1B, H-2B, H-3, L-1 and TN.
- I-131 Application for Travel Documents.**
Used to obtain travel documents such as advance parole document, re-entry permit, and refugee travel document.
- I-140 Immigrant Petition for Alien Worker.**
Filed with U.S. CIS to classify a nonimmigrant alien in one of the employment-based preference categories for immigrant visa purpose.
- I-485 Application For Adjustment of Status.**
Used by foreign nationals who are eligible and choose to adjust status to that of lawful permanent resident while in the U.S.
- I-539 Application to Extend/Change Nonimmigrant Status.**
Filed by non-immigrants to extend or change nonimmigrant status, or by dependents (spouse and children) to extend or change status (such as H-4, L-2 or TD).
- I-765 Application for Employment Authorization.**
Filed by foreign nationals to obtain work authorization in the U.S. in various circumstances.
- ETA-9035 Labor Condition Application.**
Used by employers to make attestations regarding wages and working conditions prior to filing each H-1B visa petition.
- ETA-9089 Application for Permanent Employment Certification.**
Filed by the employer and the employee as part of the labor certification process and/or by certain Labor Certification exempt immigrant visa applicants.
- DS-156 Nonimmigrant Visa Application.**
Filed with a U.S. embassy or consulate to obtain nonimmigrant visas for entry to the U.S.
- DS-230 Immigrant Visa Application.**
Used by individuals to apply for immigrant visas through U.S. embassy or consulate.



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