

Which Visa do I need to work in the US?

	Curricular Practical Training (CPT) (part of F-1 visa)	Optional Practical Training (OPT) (part of F-1 visa)	H1B	L1
What is it?	<p>CPT is employment that is performed for academic credit (part of school curriculum; commensurate to degree level OR that is required as part of the academic plan or program curriculum).</p> <p>It includes:</p> <ul style="list-style-type: none"> • Required internship, practicum, student teaching or field experience • Optional internships for credit (MUST be in student's major or program of study) • Cooperative (Co-op) education programs for credit (MUST be in student's major or program of study). 	<p>OPT is recommended by an ISSS Advisor but authorization is granted through the USCIS Service Center. Official authorization comes in the form of an ID card known as Employment Authorization Document (EAD).</p> <p><u>OPT prior to completion of degree:</u> School in session: Part-time OPT during the academic year During summer vacation: Full-time OPT during summer period</p> <p><u>OPT post-completion of degree:</u> Full-time OPT after completion of all degree requirements and/or graduation. OPT, in this case, must be completed within a 14-month period following completion of study or degree requirements.</p>	<p>The H-1B is a non-immigrant classification used by an alien who will be employed temporarily in a specialty occupation. The current law limits the number of aliens who may be issued a visa or otherwise provided H-1B status to 65,000.</p> <ul style="list-style-type: none"> • 65,000 regular cap cases minus the C/S cap cases received • Chile/ Singapore H-1B1s • 20,000 cap exemption for beneficiaries with U.S. Masters or higher degrees • Exempt (for petitions filed by certain institutions of higher education; nonprofit organizations; and nonprofit research organizations or governmental research organizations, as defined in USCIS regulations) 	<p>The L classification applies to intracompany transferees who, within the three preceding years, have been employed abroad continuously for 12 months, and who will be employed by a branch, parent, affiliate, or subsidiary of that same employer in the U.S. in a managerial, executive, or specialized knowledge capacity.</p>
How do I get it?	<p>The CPT application packet for ISSS must include the following:</p> <ul style="list-style-type: none"> • Your registration schedule showing Internship or Co-op Ed course. *Undergraduates: at least a 3000-level internship or co-op course. *Graduate students: at least a 5000-level graduate internship or co-op course. • Your Academic Advisor's recommendation letter on department letterhead. • For Hospitality Majors only: Completed calculation sheet • Bring your original VALID machine-readable passport and original Form I-94. • Your completed "Practical Training/Employment Workshop Acknowledgement <p>If you meet all eligibility requirements and present a</p>	<p>All applications must be submitted IN PERSON and BY APPOINTMENT only.</p> <p><u>OPT Prior to completion of degree:</u> No specific deadline. You should remember to factor in USCIS Service Center processing times when thinking about start dates.</p> <p><u>OPT Post-completion of degree:</u> Fall & Spring: No earlier than third Week of classes. The official deadline set by USCIS is no later than the end of the 60 day grace period which commences from the student's actual program completion date; however; ISSS recommends submitting Post OPT applications no later than the last day of the semester in which they complete degree requirements. Students may apply during the 60 day</p>	<p>An interim final rule on April 8, 2008 allows automatic extension of the F-1 status of qualifying students who are the beneficiaries of approved H-1B petitions to cover the gap between the expiration of a student's F-1 status and the H-1B employment start date of October 1 (Cap Gap).</p> <p>To obtain the automatic extension, a student must be the beneficiary of an H-1B petition filed for the next fiscal year (with an October 1 employment start date) and have requested a change of status. For F-1 student beneficiaries of petitions that USCIS subsequently rejects, denies, or revokes, or for those who violate their status, the automatic extension terminates at that time. For Fiscal Year 2009, the first filing date is Tuesday, April 1, 2008. Cap subject</p>	<p>The applicant's prospective employer or agent must file Form I-129, Petition for Nonimmigrant Worker.</p> <p>Once approved, the employer or agent is sent a Notice of Action, Form I-797, the notification of petition approval.</p> <p>Applicants for temporary work visas should generally apply at the American Embassy or Consulate with jurisdiction over their place of permanent residence. To make the appointment, applicants need the approved I-129 petition receipt number.</p> <p>Although visa applicants may apply at any U.S. consular office abroad, it may be more difficult to qualify for the visa outside the country of permanent residence.</p>

Please also refer to ISSS for guidance
<http://iss.fiu.edu>

Career Management Services
College of Business Administration
Florida International University

	<p>complete application packet, your ISSS Advisor will issue you a new SEVIS I-20 with the valid CPT authorization.</p>	<p>grace period provided they have not left the USA. Applications must be received at USCIS prior to the end of the 60 day grace period therefore students must submit their applications no later than two weeks before the end of the 60 day grace period.</p>	<p>petitions received before that date are rejected.</p> <ul style="list-style-type: none"> • Base filing fee: \$320* • American Competitiveness and Workforce Improvement Act of 1998 (ACWIA fee) <ul style="list-style-type: none"> ○ \$750* For employers with 1 to 25 full time equivalent employees unless exempt ○ \$1,500* For employers with 26 or more full time equivalent employees unless exempt • Fraud fee: \$500* to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner. (Not for Chile/Singapore H-1B1 cases) <p>*all fees are subject to change</p> <p>In the first week of April 2008 nearly 163,000 H-1B petitions were received. More than 31,200 of those petitions were for the advanced degree exemption. USCIS conducts the computer-generated random selection process, beginning with the selection of the 20,000 petitions under the advanced degree exemption.</p>	<p>The spouse and unmarried, minor children of an applicant may also be classified as nonimmigrants in order to accompany or join the principal applicant. A person who has received a visa as the spouse or child of a temporary worker may not accept employment in the United States (with the exception of spouses of L-1 visa holders - L-2 spouses may engage in employment with an "employment authorized" endorsement or appropriate work permit.)</p>
<p>How long is it valid for?</p>	<p>The authorization is generally valid for the duration of the semester in which you are taking the internship credit. Part-time OPT prior to the completion of your degree will be deducted from the 12 months allowed for post-completion OPT at one half the full-time rate.</p>	<p>OPT is limited to an aggregate total of 12 months. Part-time OPT will be deducted at one-half the full-time rate.</p>	<p>Under current law, an alien can be in H-1B status for a maximum period of six years at a time. After that time an alien must remain outside the United States for one year before another H-1B petition can be approved. Spouses or unmarried minor children are classified as H-4 dependents and are ineligible to work.</p>	<p>Total Time Limit in Status for Executive or Manager: 7 years</p> <p>Total Time Limit in Status for Specialized Knowledge Employee: 5 years</p>