

ARC Residency - Immigration Fun Factoids

This exercise will help us to better understand the immigration situations of our students. We know we are not qualified to advise or counsel students on their immigration status. Please refer students to the USCIS local office for clarification or questions.

Immigration Eligibility Self-Quiz

From *U.S. Immigration Made Easy*, by Attorney Ilona Bray (2006)

Imagine, for the moment, that you are immigrating to the United States.

“Since we don’t know who you are, we’re going to start by making a very broad assumption: that you’re looking for any possible way to spend time in the United States, preferably permanently. With that idea in mind, we offer the following quiz to help you find out what type of visa or green card you might be eligible for [and which chapter of this book to read for more information]. This quiz will also help introduce you to U.S. immigration law - it covers almost all the categories for entering or staying legally.”

1. Are you engaged to marry a U.S. citizen?
2. Do you have any close family members (parents, husband or wife, children over 21, or brothers and sisters) who are U.S. citizens?
3. Do you have a job offer from a U.S. employer? What can or should you do?
4. Do you come from a country on the State Department’s list of countries eligible to participate in the visa lottery?
5. Would you be eligible for a green card if you have \$500,000 or more to invest in the creation or expansion of a U.S. business?
6. Have you lived in the U.S. continuously since January, 1972? What can you do to work towards permanent residency?
7. Are you a child (or are you helping a child who is) living in the U.S. and has been declared dependent on a juvenile court and eligible for a long-term foster or state agency care?
8. Are you a graduate of a foreign medical school who came to the U.S. before January 10, 1978, and are you still living in the U.S.? Would you qualify for a green card? If so, what type?
9. Do you live in a country (non-U.S.) where you have faced or fear persecution, either by the government or by someone the government can’t control - and is that persecution because of your race, religion, nationality, political opinion, or membership in a particular social group? What can you apply for?
10. Have you been accepted to participate in an exchange program in the U.S.? What visa type might you qualify for and what is the duration?
11. Is it possible for a green card to be taken away from you, once you’ve received it?

Published by Nolo Press

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Answers:

1. You may be eligible for a fiancé visa, allowing you to enter the U.S. in order to get married.
2. You may qualify for a green card if one of them is willing to petition for you.
3. You may be able to obtain a green card, if you have the right background and qualifications, if the employer is willing to sponsor you, and in most cases, if no U.S. workers are willing or able to take the job.
4. You and other family members who meet the educational and other qualifying criteria can enter the visa lottery once a year. Winners can apply for a green card. You can register on the State Department website at www.state.gov (click "Travel & Business," then "Visas for Foreign Citizens," and look for the latest announcement or click "Coming Permanently to the U.S." and click "Learn More"). There is no fee to register. Send only one registration per person (if you submit more than one application you'll be disqualified).
5. You may be eligible for an investment-based green card.
6. You may be eligible for a green card based on registry. See a lawyer for more information on obtaining a registry-based green card.
7. You (the child) may qualify for a green card as a special immigrant.
8. You might qualify for a green card as a special immigrant.
9. You may qualify as a refugee, which would allow you to travel to the U.S. and apply for a green card after one year.
10. You may qualify for a J-1 exchange visitor visa (good for the length of the program).
11. Yes. If you misuse it - for example, you live outside the U.S. for too long, commit a crime, or even fail to advise the immigration authorities of your change of address. However, if you successfully keep your green card for five years, you can apply for U.S. citizenship.