STEP 1: Before You Graduate…

Apply to participate in OPT (Optional Practical Training). The USCIS will then issue an EAD (Employment Authorization Document), which allows an architecture student with F-1 status to work at an architecture firm for up to 12 months upon graduation. Contact your university’s international student advisor for additional information.

STEP 2: After You Graduate…

Find an architecture firm that can sponsor you on an H1B visa. At job interview, explain your situation (timeline, associated costs, etc.) and make sure your employer is willing to file a petition on your behalf. The company must be enrolled in E-Verify program.

STEP 3: Filing H1B Petition

During your OPT, discuss with your employer and immigration attorney to start preparing application materials (Form I-129, college diploma, etc.). They should be ready by the following April 1st when the USCIS begins accepting H1B applications.

85,000 H1B visas are available each fiscal year, of which 20,000 are reserved for candidates with a master’s degree. The USCIS will stop accepting applications after 5 business days if the quota is met.

EMPLOYERS

An international student with a valid EAD is eligible to accept employment just as the U.S. citizens are. Be aware of expiration date of his/her OPT.

Application filing fee varies depending on company size, attorney fee, and whether or not Premium Processing Service is selected (additional cost).

Application materials include: employment letter, position’s duties, dates of employment, etc.

STEP 4: Application Process

Random selection (a.k.a. H1B Lottery) would take place if there are more than 85,000 applications. Your immigration attorney would receive a receipt number ONLY IF your petition has been selected. Processing times vary, unless Premium Processing Service was selected.

STEP 5: Approval

You will receive Form I-797 when your petition is approved. If you are already in the U.S., H1B Cap Gap would allow you to continue working at sponsoring company until H1B starts on October 1st.

If your petition was not selected, you would need to leave the U.S. within 60 days grace period after expiration of OPT. Consult with your immigration attorney to explore other options.

This document is intended only to provide an overview of the H1B visa application process. Individuals must consult with international student advisor and/or immigration attorney for additional assistance and legal advice.

AIA Iowa Diversity Committee

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