Office of Immigration
Meisler Hall 2200• 390 Student Center Circle
Mobile, AL 36688-0002
Phone: 251.460.6050
E-mail: immigration@southalabama.edu

USA Pathway to Permanent Residency Sponsorship (Form I-140)

PERMANENT RESIDENCY OVERVIEW

Permanent Residency, also known as the "Green Card", is an immigrant visa status. There are many different paths to obtaining Permanent Residency, but the University of South Alabama can petition for only specific employment-based categories.

CRITERIA FOR USA PERMANENT RESIDENCY SPONSORSHIP

In general, the University will sponsor Permanent Residence petitions (Form I-140) for staff or faculty under the following conditions:

1. The candidate holds a permanent or tenured/tenure track position at the University of South Alabama. "Permanent" is defined by immigration guidelines as employment that is intended to be of an indefinite or unlimited duration. In other words, the nature of the position is such that the employee will ordinarily have an expectation of continued employment.
2. The position demonstrates secured funding that is either regular in nature, or in the case of a grant-funded position, includes a reasonable expectation that funding will continue.
3. The candidate maintains a valid non-immigrant employment status while the application is being processed.

USA reserves the right to determine acceptable cases under employment-based categories where the long-term services of an employee are deemed to be in the best interests of the University and there are assurances of a long-term commitment on the part of both the employing department and the employee.

CATEGORIES SPONSORED BY USA

The categories of Permanent Residency which the University of South Alabama may sponsor as an employer are:

- EB-1A: Extraordinary Ability in the Sciences, Arts, or Business
- EB-1B: Outstanding Researcher/Professor
- EB-2: Advanced Degree Holders
- EB-3: Professional or Skilled Worker

University employees whose circumstances foreclose using an employer-sponsored category may self-petition for PR through other categories such as Alien of Extraordinary Ability or the National Interest Waiver. Employees in this situation are encouraged to consult with competent legal counsel about their individual situation before proceeding under either of those categories.

Employees choosing either first (EB-1) or second (EB-2) paths to PR may ask supervisors for letters of reference for their petition. The employee's department should confirm that the PR petition is not signed or filed on behalf of the University by the employee and/or a non-approved attorney in reliance on an existing or future position.

Disclaimer: The Office of Immigration is able to provide you with general guidance. However, any advice provided to you by our office, as well as the information in this packet, does not constitute legal advice. Additionally, due to the fluid nature of governmental interpretation, USCIS may change its interpretation of the above-mentioned immigration policies, procedures, regulations, and eligibility requirements for benefits at any time. This office will do its best to provide you with the most current guidance, but please be mindful that each case is fact-specific. The Office of Immigration recommends an experienced immigration attorney if your case requires legal assistance.

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UNIVERSITY OF SOUTH ALABAMA APPROVED OUTSIDE IMMIGRATION COUNSEL

The University of South Alabama uses select immigration legal counsel for all employment-based, USA-sponsored paths to Permanent Residency. Departments or employees MAY NOT hire outside legal counsel to file a USA employer-sponsored petition. An immigration attorney must be selected from the list below. Departments with questions about the retention of immigration counsel to represent the University in the filing of an employer-sponsored PR petition may contact the Office of Immigration.

Adam Cohen **Siskind Susser, P.C.** **1028 Oakhaven Road** **Memphis, TN 381149** **acohen@visalaw.com** **901-682-6455**	**Kathleen Gasparian** **Gasparian Spivey Immigration** **1915 Martin Luther King, Jr. Blvd.** **New Orleans, LA 70113** **kathleen@gsimmigrationlaw.com** **504-262-9878**
Klari Tedrow **Tedrow and Myers Immigration Law Group** **1976 Gadsden Highway** **Birmingham, AL 35235** ktedrow@usimmigrant.net **205-871-8084**	**David Ware** **Ware Immigration** **3850 North Causeway Boulevard, Suite 555** **Metairie, LA 70002** www.david-ware.com/Contact.shtml **Toll Free: 866-833-8308**

EB-2 SPECIAL HANDLING PROCESS FOR TEACHING POSITIONS - *ESTIMATED* ATTORNEY & FILING FEES		
SERVICE OFFERED	**ATTORNEY LEGAL FEE**	**FILING FEE/COSTS**
SPECIAL HANDLING LABOR CERTIFICATION (FOR TEACHING POSITIONS)	Approx. $4000-$5000	Advertising Costs
I-140 FILING BASED ON LABOR CERTIFICATION	Approx. $2500	$715
COST TO USA DEPARTMENT	**Approximately $7215-$8215 + advertising costs**	

EB-2/EB-3 LABOR CERTIFICATION FOR NON-TEACHING POSITIONS - *ESTIMATED* ATTORNEY & FILING FEES		
SERVICE OFFERED	**ATTORNEY LEGAL FEE**	**FILING FEE/COSTS**
STANDARD LABOR CERTIFICATION (FOR NON-TEACHING POSITIONS)	Approx. $5500	Advertising Costs
I-140 FILING BASED ON LABOR CERTIFICATION	Approx. $2500	$715
COST TO USA DEPARTMENT	**Approximately $8715 + advertising costs**	

EB-1A EXCEPTIONAL ABILITY & EB-1B OUTSTANDING RESEARCHER/PROFESSOR *ESTIMATED* ATTORNEY AND USCIS FILING FEES		
SERVICE OFFERED	**ATTORNEY LEGAL FEE**	**FILING FEE**
I-140 FILING BASED ON EB-1A EXCEPTIONAL ABILITY OR EB-1B OUTSTANDING RESEARCHER/PROFESSOR	$7500-$8000	$715
COST TO USA DEPARTMENT	**$8215-$8715**	
***ESTIMATED* ATTORNEY AND USCIS FILING FEES FOR I-485* PAID BY SCHOLAR/PHYSICIAN**		
SERVICE OFFERED	**ATTORNEY LEGAL FEE**	**FILING FEE**
I-485 ADJUSTMENT OF STATUS APPLICATION	Approx. $2500 per applicant	$1440 per applicant ($950 per child under age 14)
I-765 EAD APPLICATION	None	$260 per applicant
I-131 ADVANCE PAROLE APPLICATION	None	$630 per applicant
COST TO INTERNATIONAL SCHOLAR/PHYSICIAN	$3940-$4830 (for faculty member) $3940-$4830 (per dependent spouse or child between 14 and 21) $3450-$4340 (per child under 14) (+ Civil Surgeon Fees for Form I-693: $100-$500 per person)	

Departments: Please note that you are NOT responsible for I-485 or dependent legal and filing fees. However, you may choose to pay for them. Please indicate your willingness to pay for your scholar or physician's I-485 and/or dependent fees:

I-485 App Fees ☐ I-485, I-765, & I-131 Fees ☐ Dependent I-485 App Fees ☐ Dependent I-485, I-765, & I-131 ☐

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USA Internal Procedures

To begin sponsorship of a faculty or staff member for Permanent Residency at the University of South Alabama (USA), sponsorship must be approved. Approval is required for all USA supported permanent residency applications as follows:
1. **Faculty Sponsorship Approval:** Chair > Dean > Provost/Division Head > Office of Immigration.
2. **Staff Sponsorship:** Chair/Director > Division Head > HR Director > Office of Immigration.

After the PR Sponsorship is approved, the Chair/Director and Immigration Manager selects university-approved immigration counsel to represent USA. Immigration counsel will consult with the department, faculty/staff member, and immigration office via conference call to determine the appropriate path to PR sponsorship. The Office of Immigration will then submit appropriate forms and documents to immigration counsel for preparation of petition(s).

Immigration counsel processes all paperwork in close conjunction with the Office of Immigration and the sponsoring department. At the point of filing of the I-140, the Immigration Manager will sign all applicable forms, as well as the Labor Certification. If required, additional documentation may require signatures of the Chair/Director and/or faculty staff member.

Once the I-140 has been approved, the employee may petition for Permanent Residency. It is advised the employee hire the same immigration attorney that handled the I-140, but it is not required. Employee can choose to self-petition or hire outside counsel. Employee is responsible for Permanent Residency petition expenses. Employee must provide the Office of Immigration with a copy of the approved Permanent Resident card.

SPONSORED EMPLOYEE DETAILS

1. Employee Name: _____

2. Position Title: _____

3. Jag ID: _____

4. Is this a tenure accruing or permanently-funded position: ☐ Yes ■ No

5. If the position is not tenure accruing or permanent, what is the nature of the funding for the position and expectation of continuance of funding (e.g. 1-year contract extensions with expectation of indefinite continuation of funding):

REQUIRED APPROVAL SIGNATURES

1. Department Chair/Director Signature: _____ Date: _____

Name and Title of Department Chair/Director: _____

2. Dean/Division Head Signature: _____ Date: _____

Name and Title of Dean/Division Head: _____

3. HR Director Signature **(staff only)**: _____ Date: _____

Name of HR Director: _____

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4. Office of Immigration Signature: _____ Date: _____

USA Sponsoring Department Initiates Sponsorship

1. **Chair/Director Reviews and Signs Sponsorship Form**
2. **Dean/Division Head Reviews and Signs**
3. **HR Director Reviews and Signs (staff only)**
4. **Office of Immigration Reviews**

Department Head, Employee, Office of Immigration, and Immigration Counsel Conference Call to Determine Best Path to PR

Immigration Counsel processes all PR paperwork in close conjunction with Office of Immigration who will contact USA Sponsoring Department and Employee, if needed.

**Office of Immigration will sign all required forms and documents, as well as the labor certification (as applicable).
Immigration counsel will file petitions with USCIS.
Copies of filed documents will be retained in Office of Immigration.**

Once an I-140 Approval Notice is received, Employee can petition for Permanent Residency.