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Can a Green Card be Started on F-1 Status?

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Submitted by Chief Editor on Jul 27th 2017

I am currently on F1 in OPT status and working for Employer A, my Employer A filed for H1b this year. and I am currently waiting for my H1b approval Approval. Can my Employer start my green card process when I am in F1 status?

ANSWER:

Watch Video on this FAQ: Can a green card be started on F-1 status? ^[2]

Video Transcript

For people who are born in backed up countries where the priority dates are extremely backed up like India, China, Philippines, Mexico its dangerous to start a green card because F-1 status does not allow you to have immigrant intent whereas statuses like H-1, H-4, L-1, L-2, O-1 etc... allow you to have a dual intent. TN doesn't allow one to have a dual intent, so when you are in these kind of statuses where the dual intent is not permitted and you file a green card you run the risk of having trouble in getting any kinds of extensions, visa stamping or reentry into the U.S. But if you are born in a country like Saudi Arabia, Pakistan or Nepal or anywhere in Europe where these dates are not backed up then **sometimes** it is possible to get the whole green card wrapped in EB-1, EB-2 or EB-3 category within a year. *More...* ^[2]

Note: This is a verbatim transcript of the referenced audio/video media delivered as oral communication, and, therefore, may not conform to written grammatical or syntactical form.

Nonimmigrant Visas:

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[Immigrant Intent](#) ^[4]

[General Nonimmigrant Visa](#) ^[5]

Green Card:

[EB1 Green Card](#) ^[6]

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FAQ Transcript:

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Unless the context shows otherwise, all answers here were provided by [Rajiv](#) [9] and were compiled and reported by our editorial team from comments and blog on [immigration.com](#) [10]

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Links:

[1] <https://immigration.com/faq/eb1-green-card-eb2-green-card-eb3-green-card/can-a-green-card-be-started-f-1-status>

[2] <https://youtu.be/c16psqxtsH4?t=710>

[3] <https://immigration.com/visa/nonimmigrant-visas/f-visa/f-1-visa>

[4] <https://immigration.com/visa/nonimmigrant-visas/immigrant-intent>

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[6] <https://immigration.com/greencard/green-card/employment-based-green-cards/eb1-green-card>

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[9] <http://www.immigration.com/law-offices-rajiv-s-khanna-pc>

[10] <http://www.immigration.com>

[11] <https://immigration.com/JavaScript%3Aavoid%28%29%3B>