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Employment Based Self Application

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Submitted by Chief Editor on Aug 14th 2013

1. I have an H-1B visa which it is going to end in October 24,2013. My employer doesn't want to sponsor me for a Green Card, because they said that they only sponsor their managers. Although, their AT&T client doesn't want to lose me. Also, I would like to let you know that I came to US with a F-1 visa,got a Master degree in Business/Computer Information Systems, I have a Bachelor degree in Computer Information Systems (Peru). I would appreciate to know if I can apply it by myself and what chances do I have to get it and in case that I can apply by myself what are the steps to follow. 2. My Master Degree from a US University is not valid, even my work experience which is more than 10 years 6 years here in US and 6 years in Peru. Is it because I am from South America? I would appreciate a better explanation why I don't qualify.

ANSWER:

1. Under the current laws, self-application seems not to be an option for you.
2. There are only three categories for employment-based self-application: EB-1A (Extraordinary ability alien), National Interest Waiver and EB-5, investment. There is no category I can think of under which you may qualify for self-application (without an employer's help). If you would like a consultation to understand further, join our free community conference call. A one-on-one consultation may not be necessary.

Do note, if a set of new immigration laws gets passed, all this could change. To keep track of developments in the pending immigration law reform, follow this link:

<http://www.immigration.com/comprehen...on-reform-2013> [2]

Review these links:

EB-1A: <http://www.immigration.com/greencard...international-> [3]

National INterest Waiver: <http://www.immigration.com/greencard...terest-waivers> [4]

EB-5 Investment: <http://www.immigration.com/greencard...ent-green-card> [5]

Unless the context shows otherwise, all answers here were provided by Rajiv [6] and were compiled and reported by our editorial team from comments and blog on immigration.com [7]

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Links:

- [1] <https://immigration.com/faq/eb1-green-card/employment-based-self-application>
- [2] <http://www.immigration.com/comprehensive-immigration-reform-2013>
- [3] <http://www.immigration.com/greencard/eb1-green-card/eb-1-extraordinary-ability-outstanding-researchersprofessors-international->
- [4] <http://www.immigration.com/greencard/eb2-green-card/eb-2-national-interest-waivers>
- [5] <http://www.immigration.com/greencard/eb5-green-card/eb-5-investment-green-card>
- [6] <http://www.immigration.com/law-offices-rajiv-s-khanna-pc>
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