

# **Some Pointers to Newly-Arrived Philippine Nurses**

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## **I-94 EXTENSION**

1. Next to your passport, your most important document is your I-94, the little card that contains the date and place of your arrival in the US. It also contains the expiration date of your H-1 stay. You must apply for an extension before your stay expires. If you fail to extend it, you become deportable.

2. The Immigration office will require you to submit your RN license and your employer's labor attestation along with the necessary forms and documents for extension. If you still don't have your RN license, consult our office, or any immigration attorney to find out how to proceed from there.

3. You should always have in your possession your Form I-797 or I-171C, otherwise known as the Approval Notice of your H-1 petition filed by your hospital. You need this form too for your extension.

## **TAKING A VACATION TO THE PHILIPPINES**

4. Your passport contains a visa page stamped by the US Embassy in Manila. Normally, the visa date in the passport is valid up to a certain date that is also reflected on your I-94 and Form I-797 (or I-171C).

If you plan to go back to the Philippines and then return to the States, make sure that your passport and your visa have not expired. Your passport visa should be valid all throughout upon leaving and returning to the US.

5. If your visa expires while you are in the Philippines, you will have to apply for another visa in the US Embassy in Manila. You will need a valid I-797 and supporting documents to apply for another visa. You must be forewarned that it is not easy to obtain this visa once you have already been to the US.

To avoid having to apply for a visa at the US Embassy in Manila, you must get a visa revalidation from Washington DC before you leave the US. With a visa revalidation, you can travel back and forth without the hassle of having to apply at the American Embassy in Manila.

## **EMPLOYER CHANGE AND DOUBLE JOBS**

6. If you are changing your employer, you must obtain authorization from the INS before you start your new job. If you change employers without this approval, you may be subject to deportation. You can also work more than one job provided you have this approval from the INS filed by your other employer. The same procedure goes even for part time jobs.

## **APPLYING FOR A GREEN CARD**

7. It is advisable to file for a green card petition as soon as you arrive in the US. The green card petition is also known as the 3rd or 6th preference petitions. Note that your H-1 is valid only for a total of five years, after which time you will be required to go home. If you file for these petitions as soon as you arrive, you will have a greater chance of getting your green card before your 5th year is over. By then, it will not be necessary for you to go back.

You can file your 3rd and 6th preference even if you have not passed your RN exam yet; CGFNS certificate is however required. You can change employers and return to the Philippines even with an approved 6th or 3rd preference petition.

### **AMNESTY**

8. You have probably heard of the new amnesty for nurses which is a faster way of getting your green card. You are not eligible to apply for this unless you entered the US before September 1, 1989, and that your H-1 has not lapsed at any time. You should not also have worked for any other employer without INS authorization. In addition, you must have three years of RN experience in the US, as well as a 3rd or 6th preference visa petition. (For a limited time only, H-1 lapses and unauthorized employment are waived. Consult your lawyer about this.)