



## Immigration Law Glossary

This Immigration glossary will help you **understand the legal terms and phrases** which are relevant to visas, citizenship, and other areas of Immigration law.

### A

**Adjudicate:** To make a decision on a legal issue or dispute — for example, to approve or deny a visa petition.

**Adjustment of Status:** The process of applying for permanent residence from inside the US, as opposed to applying for permanent residence through consular processing overseas. An applicant for adjustment of status must possess a certain legal immigration status (such as H-1B employment) in order to apply for adjustment to permanent resident status.

**Admissibility:** Eligibility to enter the US. If you are not among certain classes of people classified as “inadmissible”, you will be allowed to enter the US with the appropriate visa.

**Alien Registration Number:** Also known as an A-number. This is an identifying number that the USCIS assigns to anyone who applies for a visa or immigration status for the first time. This number is unique to the applicant and stays the same for life.

**Admit-until Date:** The date that your US immigration status will expire. This date appears on your I-94 arrival/departure record.

**Adopted Child:** For immigration purposes, an “adopted child” means an unmarried child under the age of 21, who was adopted before the age of 16, and who has lived with the adopting parent(s) for two years or more in legal custody.

**Advance Parole:** Advance parole in advance permission to re-enter the US after travelling abroad. Without advance parole, you would need to obtain a new US visa to re-enter the US. People with pending permanent residence petitions can use a Form 1-131 to apply for advance parole.

**Affidavit:** An affidavit is a sworn written statement that is often (but not always) signed and witnessed by a notary public. You can be prosecuted for knowingly making a false statement on an affidavit.

**Affidavit of Support:** An affidavit of support is a legal document in which one person guarantees the financial support of an immigrant while the immigrant is in the US. The guarantor may be required to reimburse the US government if the immigrant utilizes any public assistance while in the US.

**Alien:** Anyone who is in the US but is not a US citizen. “Aliens” are divided into two classes — “resident aliens” and “nonresident aliens”. The term “resident alien” refers to lawful permanent residents and certain other aliens who spend large amounts of time in the US, while the term “nonresident alien” refers to all other aliens.



**Appeal:** After an unfavorable official decision or ruling (such as the denial of a visa petition), an appeal is a request to a higher authority to overturn the decision. Examples of appeal authorities that can be used in certain circumstances include the USCIS Administrative Appeals Office and the Board of Immigration Appeals. Other decisions can't be formally appealed but can be referred back to the issuing office for reconsideration.

**Applicant (for a visa):** A citizen of a foreign country to applies for a US visa. Applicants for certain types of visas, such as an immigration visa based on marriage to a US citizen, are also referred to as "beneficiaries."

**Approval Notice:** Also known as Form I-797 Notice of Action. an approval notice is an official communication from the U. S. Citizenship and Immigration Services (USCIS) immigration form, notifying an alien that his application for a certain immigration benefit has been approved.

**Asylum:** An immigration benefit granted to aliens who are in the US or at a port of entry (an international airport, for example) and who are afraid to return their home country for fear of persecution.

**Asylee:** Someone who has been granted asylum (see above). An asylee can apply for permanent residence after one year of presence in the US.

**Amnesty:** A pardon that is offered under certain circumstances for certain immigration offenses, such as entering the US illegally.

## B

**Beneficiary:** An alien for whom an immigration benefit is requested. In some cases the alien has applied for benefits himself, while in other cases a sponsor, such as a family member or employer, has filed a petition on behalf of the alien. In many cases the immigration benefit will also apply to the alien's immediate family, in which case they are considered secondary beneficiaries.

**Biometrics:** Physical attributes that are used to identify people, such as fingerprints. In many cases you must provide biometrics to be granted an immigration benefit.

## C

**Cancellation of Removal:** "Removal" is another word for deportation, and cancellation of removal means you are taken out of removal proceedings and granted lawful permanent residence. This immigration benefit can be granted by an immigration judge.

**Case Number:** Also known as a receipt number. A unique number that is issued by the USCIS to identify your individual application. If you are applying for more than one immigration benefit, you will have more than one case number.



**Certificate of Citizenship:** A Certificate of Citizenship is issued to those who were born overseas but are US citizens, nevertheless. This includes naturalized citizens (people who became citizens after they were born) and people who became US citizens at birth because both of their parents were US citizens.

**Certification of Naturalization:** An official document that serves as proof of the holder's US citizenship status. It is issued to people who gained citizenship at some time after their birth ("naturalized" citizens).

**Citizenship:** The status of being a national of a particular country. In the US you can obtain citizenship by being born in the US, by being born abroad to two US citizen parents, and by naturalization.

**Citizenship Test:** A test that is administered to applicants for US citizenship. Although you must pass this test to be granted US citizenship, most people do not consider it to be particularly difficult to pass. You must prove that you can speak, read, and write basic English, and you must demonstrate rudimentary knowledge of US history and the US political system.

**Civil Surgeon:** A physician (doctor) practicing in the US who is licensed by the USCIS to perform medical exams that are required to obtain certain immigration benefits such as lawful permanent residence. The civil surgeon will report the results of these exams to the USCIS.

**Consular Electronic Application Center:** An online tool that is used to file US visa applications from overseas. You can also use it to pay visa fees and to keep up to date on the status of your application.

**Consular Processing:** The process used to file for lawful permanent residence from outside the US. This is done at a US embassy or consulate overseas (typically, the facility nearest your home). The equivalent procedure if you are located inside the US is called adjustment of status.

**Consulate:** A diplomatic facility located abroad that is used for, among other purposes, to grant US immigration benefits to non-US citizens. Such a facility is known as an embassy if it is located in a country's capital city, and a consulate otherwise.

**Customs and Border Protection (CBP):** The U.S. government agency that is responsible for enforcing customs and immigration laws. You have dealt with the CBP if, for example, you have ever presented your passport and a US immigration checkpoint (in an international airport, for example).

## D

**Date for Filing:** A date, listed in the online visa bulletin, by which certain people who seek permanent residence can file their application even if their final action date has not yet arrived.

**Deferred Action for Childhood Arrivals (DACA):** An immigration program, initiated in 2012, that allows certain people who entered the US illegally as children to live in the US without fear of being removed. The media refers to such people as "Dreamers", and the Trump Administration's efforts to phase out the DACA program has been very controversial.

**Denial:** An official rejection of an application for a particular immigration benefit.



**Department of Homeland Security (DHS):** The U.S. government department that is responsible for domestic security. The Department of Homeland Security is responsible for most immigration-related functions. The USCIS, for example, is a subdivision of the Department of Homeland Security.

**Department of Justice (DOJ):** The Department of Justice is the U.S. government agency that is responsible for law enforcement and criminal prosecutions under federal law. The Department of Justice, for example, administers the nation's immigration courts.

**Department of State (DOS):** The Department of State is the U.S. government agency that is responsible for diplomacy and foreign affairs. Known colloquially as the State Department, it administers US embassies and consulates overseas.

**Dependents:** Immediate relatives of someone who has been granted certain types of US visas and immigration statuses. Dependents are typically granted visas with the same duration as that of the principal visa holder. An example would be the wife and children of someone who was granted a US employment visa.

**Deportation:** Also known as removal. Legally removing an alien from the US in response to an order issued by an immigration court. US immigration law specifies many grounds for deportation, all of which involve the violation of AUS immigration law.

**Derivative Immigration Status:** A person hold derivative immigration status if their immigration status depends on the immigration status of their spouse or parent. The child of someone who comes to the US on an employment visa, for example, is eligible to live i the US as long as the employment visa holder. In this case, the child may be referred to as a "derivative beneficiary."

**Diversity Visa Program:** Also known as the visa lottery. Under the Diversity Visa Program (DV Program), the State Department issues up to 50,000 permanent resident visas per year are provided to a random selection of qualified applicants. The DV Program is available to people from countries with historically low rates of immigration to the US.

**Domicile:** "Domicile" refers to your address and country of residence, but not necessarily your country of citizenship. To be domiciled in a particular place, it must be your habitual place of residence that you do not intend to leave in the foreseeable future. A Mexican citizen who is a permanent residence of the US, for example, might be domiciled in Arizona.

**Duration of Status (D/S):** A stamp on your I-94 record that allows for an indefinite stay in the US as long as you maintain your current immigration status. Those admitted on student visas, for example, are permitted to remain in the US until their studies are complete. If you are admitted as a student on duration of status terms, for example, your status will expire if you fail to register for next semester's classes. On the other hand, you can remain in the US for more than one degree (a bachelor's degree followed by a master's degree, for example) as long as your studies are uninterrupted.

## E

**Employment Authorization:** The right to work as an employee in the US. Lawful permanent residents do not need special employment authorization because the right to work is inherent in their immigration



status, but many other aliens do need special work authorization. If you receive work authorization you might be allowed to work for only one employer or you might be allowed to work for any employer.

**Employment-based immigration:** Admission to the US for permanent residence on the basis of a job offer from a US employer, superior occupational skills and talents, or investment in a US business.

**Employment Green Card:** Permanent residence that is gained through employment-based immigration to the US.

**Expedited Removal:** To speed up removal (deportation) proceedings against an alien without allowing access to an immigration judge. Although expedited removal occurs most frequently when someone enters the US illegally, it can occur during other circumstances as well, such as in response to presenting a counterfeit passport to an immigration official at a port of entry.

**Expire:** To become invalid or to end. Most visas include a definite expiration date. Note that the expiration date for your visa and the expiration of your immigration status are two different matters. Think of your visa as a key that allows you entry into the US — when it expires you can no longer enter the US on that visa. The expiration of your immigration status, however, might continue for long after your visa has expired. If your period of stay has not expired, you are still in legal immigration status but cannot leave the US and return without making special arrangements.

## F

**Family-based immigration:** An immigration category in which a US citizen can sponsor a family member for immigration to the US. A US citizen, for example, can sponsor his or her spouse, children, or siblings for immigration. Permanent residents can also sponsor certain family members. Some of these relatives must wait until their visa becomes current before they can immigrate, but the spouse of a US citizen does not have to wait.

**Family Preference Immigrant:** Certain aliens who are eligible for lawful permanent residence because of a family relationship with a US citizen or lawful permanent resident. This category excludes the spouse, parent or unmarried minor child of a U.S. citizen, who receive greater preference than family preference immigrants (they don't have to wait as long to immigrate).

**Fiancé(e) Visa:** A visa that allows an alien to enter the US to marry a US citizen fiancé(e). Once inside the US, the alien has 90 days to either marry the US citizen or leave the US. If a marriage takes place, the alien can adjust status to lawful permanent resident.

**Filing Fee:** The fee that you must pay to submit certain immigration petitions. Some of these petitions can be filed free of charge, while the most expensive petitions require a filing fee of over \$1,000. In some cases certain fees can be waived due to financial hardship.

**Final Action Date:** Also known as the cut-off date. For some permanent residence petitions, you will be assigned a priority date and you must wait until your priority date is prior to the final action date before you will be allowed to file your immigration. This system is designed to deal with large backlogs.



## G

**Green Card:** Also known as a Permanent Residence Card, the green card is a card that is issued to people who have been granted lawful permanent residence of the US. This card proves your permanent residence status.

## H

**H-1B Visa:** This visa is granted to people who have been sponsored by a US employer to work in the US for a temporary period, typically three years. It is a dual intent visa, meaning that if you qualify, you can adjust your status to lawful permanent resident without leaving the US.

**Home Residence Requirement (HRR):** The requirement, applied to J visa holders, that they return to their home country for two years after their J status expires before they can re-enter the US.

## I

**I-130 Petition for Alien Relative:** A USCIS immigration form that is filed by a US citizen petitioner on behalf of their alien relative. In combination with other documentation, it is used to eventually obtain lawful permanent residence for the alien relative.

**I-485 Application for Adjustment of Status:** The USCIS form that is used by an alien living in the US to adjust their status to lawful permanent residence.

**I-797 Notice of Action:** The I-797 Notice of Action is a document that the USCIS will send to you in response for an application for immigration benefits. It will notify you whether your application has been approved or denied, to confirm that the USCIS received your fee payment, to request supplementary evidence, to schedule or reschedule an interview, or to schedule or reschedule an appointment.

**I-94 Arrival/Departure Record:** A document issued by US immigration authorities that keeps track of your arrivals and departures from the US. It can be used to prove that you entered the US legally and that your current immigration status is valid. It is best to keep this document with your passport, because its loss could cause you difficulty. You can check your I-94 travel history online on the US Customs and Border Protection website.

**Illegal Alien:** Also known as an undocumented immigrant. An alien who entered the US illegally or who has violated the terms of his immigration status (by overstaying his visa, for example).



**Immediate Relative:** A close relative of a US citizen, including spouse, unmarried children who are under 21, and parents of adult US citizens. Being an immediate relative of a US citizen confers certain immigration benefits.

**Immigration Benefit:** Any benefit granted to an alien that is related to immigration — a visa, a right to remain in the US for a definite or indefinite period, employment authorization, etc.

**Immigration and Customs Enforcement (ICE):** The U.S. government agency with the responsibility to enforce US immigration laws. Like the USCIS, it is part of the Department of Homeland Security.

**Immigration and Naturalization Services (INS):** The INS is no longer in existence. Roughly speaking, it could be referred to as the predecessor to the USCIS, although its responsibilities were considerably broader.

**Immigration Categories:** US immigration law creates six major immigration categories — immediate relatives, family preference, employment, green card lottery, asylum-based and refugees. Which category you are in is relevant to the rules for entering and remaining in the US and becoming a lawful permanent resident.

**Immigration Law:** The entire body of US law that is related to immigration, This includes statues, regulations, policies and court decisions.. Immigration law is an important area of legal practice.

**Immigration and Nationality Act (INA):** An immigration statute that went into effect in 1965. It is most noted for its abolition of race and national origin as important criteria for immigration. This law established a preference for family members of US citizens and aliens with employment skills that are likely to benefit the US.

**Immigration Judge:** An in immigration judge is a licensed attorney who is appointed as a judge for the Executive Office for Immigration Review., a government department that hears immigration appeals and conducts deportation proceedings.

**Immigration Status:** Immigration status refers to the legal classification justifying your entry and presence in the US — student, immediate relative of a US citizen, etc. Each status has its own rules. Your immigration status is different from your visa. Your visa is the legal “key” that you use to enter the US, while your immigration status is the justification for remaining in the US for a certain length of time.

**Inadmissible:** An alien is inadmissible if he fails to meet the legal conditions for admission to the US. Aliens who are found inadmissible may be denied entry to the US and placed in removal proceedings. In some cases the alien may be immediately deported. If an inadmissible alien applies for a US visa abroad, the visa will be denied.

**Internal Revenue Service (IRS):** The U.S. government agency that is responsible for tax collection. If you have been living in the US, you may be required to submit IRS tax returns in applications for certain types of immigration benefits.

**Intracompany Transferee:** An immigration status that allows you to work in the US if you have been working for an international company for a specified length of time and you have been transferred to the US office of that company or its subsidiary or affiliate. This immigration status is generally available only to managers and professionals.



## J

**J-Visa:** A non-immigrant visa that can be granted to academics, student and people participating in cultural exchanges. Many J visas require you to return home for at least two years after your immigration status expires. Certain dependent family members can travel to the US on this visa as well.

**Joint Sponsor:** Immigration for permanent residence is generally permitted only for people who prove that they will not need to depend on government benefits to survive. To prove this, it is often necessary for the prospective immigrant to have a sponsor who will guarantee their financial support while they are in the US. In some cases, it is possible to have another sponsor as well, and this person is known as a joint sponsor.

**Jurisdiction:** The area over which a particular government subdivision, including a court, has authority. This area might be geographic (the state of Pennsylvania, for example) or conceptual (permanent residence applications, for example).

## L

**Labor Certification:** A certification that acts as a precondition to allowing an alien to enter the US to work. Labor certification is designed to establish that the alien will not be taking any job away from a US worker and that his employment will not contribute to the lowering of wages in the US employment market. The prospective worker must obtain labor certification before a visa application can be submitted on his behalf.

**Lawful Permanent Resident (LPR):** A lawful permanent resident is someone who is not a US citizen but who has been granted the legal right to reside permanently in the US. Lawful permanent residents are issued “green cards.”

**Legalized Aliens:** Someone who accumulated unlawful presence in the US, either by coming across the border illegally or by overstaying their visa or otherwise violating the terms of their immigration status, whose presence was legalized under amnesty granted by the Immigration Reform and Control Act of 1986. provided amnesty to certain illegal immigrants. Qualifying for the amnesty requires that you have unlawfully resided in the US continuously since January 1, 1982, along with certain other requirements.

**Lottery Admissions:** Also known as the Diversity Visa Program. The admission of an alien to the US for lawful permanent residence based on a visa lottery. 55,000 people every year are admitted on this basis, and eligibility is restricted to people from countries whose nationals are underrepresented among immigrants to the US.





**L-1 Visa:** The L-1 visa is a nonimmigrant visa by which international companies transfer personnel to the US from overseas. The L-1 visa is a dual intent visa, meaning that an alien who otherwise qualifies can apply for lawful permanent residence and can obtain this status without having to leave the US first.

## M

**Marriage-Based Green Card:** Lawful permanent residence based on marriage to a US citizen or permanent resident. Strictly speaking a “green card” is the physical card that proves this status, not the status itself.

**Medical Waiver:** The US classifies certain aliens as inadmissible to the US based on their suffering from certain medical conditions (a contagious disease, for example). A medical waiver is sometimes available to allow such people to enter the US despite their medical condition.

**Migrant:** The term “migrant” can refer to someone who permanently or semi-permanently moves to (i) another place within his own country or (ii) another country. Immigration law is concerned with international migrants.

**Migrant worker:** A migrant who leaves his place of residence to seek employment somewhere else. In an immigration context, a migrant worker is someone who moves to another country to seek employment.

**Motion to Reopen or Reconsider:** A request to an immigration authority to reconsider an adverse decision on an application for immigration benefits. Even if there is no process for appealing the decision to a higher authority, it is sometimes possible to ask the same authority who rejected the application to reconsider it. Such motions are often sent to the USCIS.

## N

**National Visa Center:** An institution under the authority of the State Department, that processes visa applications filed from overseas, and then sends permanent resident application packages to US embassies and consulates throughout the world, depending on the location of the applicant.

**Naturalization:** Naturalization refers to the process of granting US citizenship to someone at any time after their birth, regardless of the basis upon which this citizenship was obtained. People who were US citizens at birth (by being born in the US, for example, or by being born overseas to two US citizen parents) are not considered to be naturalized citizens. Naturalization requires a certain length of residency, as well as a basic knowledge of the English language and US history and politics. It also requires you to file a form and take the Oath of Allegiance.

**Naturalization Application:** An application filed by a lawful permanent resident to become a citizen of the US. (Form N-400). This application must be filed with the Bureau of Citizenship and Immigration Services.



**Naturalized Citizen:** A US citizen who was not a citizen at birth, but who obtained citizenship later through the naturalization process. There are many different paths to naturalization.

**Nonimmigrant:** An alien who comes to the US for a temporary period. Tourists, for example, are considered nonimmigrants, as are aliens who come to the US on an H-1B visa to work for a limited period. Some immigration status, such as H-1B, allow for “dual intent”, which means that the alien can come to the US on a nonimmigrant visa with the ultimate intention of obtaining permanent residence without returning to their home country.

**Nonresident Alien:** An alien who is not a US citizen or lawful permanent resident, and who has not accumulated “substantial presence” in the US. The term nonresident alien is most often used by the Internal Revenue Service to classify people for tax purposes (nonresident aliens are not taxed on their worldwide income, only on US-source income. It is possible to adjust status from nonresident alien to resident alien.

## O

**Oath of Allegiance:** When a person becomes a naturalized US citizen, they must attend a ceremony in which they swear loyalty to the US and to the Constitution. This is known as the Oath of Allegiance. Although you must also renounce your allegiance to any other country, in practice, the US frequently allows a person to hold dual citizenship.

**Overstay:** Remaining in the US after your immigration status expires and thereby accumulating unlawful presence in the US. The date of expiration of your immigration status appears on your I-94 Arrival/Departure Record. Remember — the expiration date of your immigration status and the expiration date of your visa are two different matters — it is possible to remain in the US after your visa expires and still be in legal immigration status. Overstaying can result in serious immigration consequences, including exclusion from the US for up to 10 years.

## P

**Parole:** Permission to enter or remain in the US. for a temporary period despite an immigration problem that would otherwise exclude this possibility. This is useful in two ways: first, it can permit someone who is inadmissible to the US to remain temporarily despite their inadmissibility (for medical treatment, for example) and (ii) it can permit someone to go abroad and return even on an expired visa (which would ordinarily prevent them from returning without a new visa).

**Panel Physician:** A panel physician is the equivalent of a civil surgeon in the US. He or she is a doctor who is appointed and trained by a US embassy or consulate to administer medical exams incident to the issuance of immigration visas. The doctor will likely be a citizen of the country where the embassy or consulate is located.



**Parole in Place:** Parole in place allows family members of a US military personnel to remain in the US even though they entered the US illegally. It is even possible for such people to eventually obtain lawful permanent residence without leaving the US first.

**Per Country Limit:** A limit on the number of family-based and employment-based immigration visas that can be issued each year, based on the country of citizenship of the beneficiary. The USCIS cannot award more than seven percent of all visas to any one country in any single year.

**Permanent Resident:** Also known as “lawful permanent resident.” A permanent resident is anyone who is not a US citizen who nevertheless lives in the US permanently and has the right to remain indefinitely.

**Petition:** For immigration purposes, a petition is an application that requests an immigration benefit in favor of the applicant or a related beneficiary of the petition (the applicant’s spouse or prospective employee, for example).

**Petitioner:** For immigration purposes, a petitioner is someone who files a petition for immigration benefits, either on their own behalf or on behalf of a beneficiary.

**Physical Presence:** Your physical presence is the length of time that you were actually present in the US. If you were absent from the US, even on a vacation and in valid US immigration status, you are not considered physically present. To become a naturalized US citizen, a lawful permanent resident must reside in the US for three or five years (depending on which immigration status permanent residence is based on), and you must be physically present in the US for at least 50 percent of that time.

**Physical Address:** The place where you actually live (it cannot be a P.O. box, for example).

**Port of Entry:** A location through which people can legally enter the US. Although any place can theoretically be designated a port of entry, in actual practice ports of entry are limited. An international airport is an example of a port of entry. You can recognize a port of entry by the fact that you must present a passport or other travel document to pass through it.

**Priority Date:** The date that USCIS receives your I-130 Petition for Alien Relative. If your grounds for permanent resident are based on an immigration category that includes an annual numerical quota, the priority date sets your place in line and determines how long you will have to wait before permanent residence is granted. Some people wait a decade or more.

**Processing Time:** The time it takes immigration authorities to process your application for immigration benefits. Depending on what types of benefit you are applying for and how many people have applied for you, processing time could range from a few days to 10 years or more. In some cases you can check approximate processing time online.

**Public Assistance:** Any form of lifestyle financial benefit granted by the state or federal government, whether cash or non-cash. This might include welfare payments, food stamps, subsidies and similar benefits. In some cases you can be denied immigration benefits if you use these benefits and are therefore considered a “public charge” or are considered likely to become a public charge.

**Public Charge Rule:** The US immigration rule that an alien will not be admitted for lawful permanent residence if he is likely to become a “public charge” — in other words, he is likely to rely on government



benefits such as food stamps to meet his financial needs. One of the ways that the public charge barrier can be overcome is by finding a sponsor who will guarantee financial support.

## R

**Receipt Number:** Also called a case number. A designation that the USCIS assigns to a particular request for immigration benefits. It is designed to help the USCIS keep track of a large volume of cases. A receipt number starts off with three letters followed by a series of numbers.

**Record of Proceedings:** An official file that includes information and documentation concerning an alien's case.

**Reentry Permit:** Lawful permanent residents should notify the Department of Homeland Security if they plan to leave the US for a continuous period of more than one year, so that they can issue a re-entry permit. A re-entry permit allows a lawful permanent resident to re-enter the US after an absence of more than one year but less than two years. Attempting to re-enter the US without a re-entry permit after more than one year of absence could result in denial of entry and revocation of lawful permanent resident status.

**Refugee:** For US immigration law purposes, a refugee is someone who has left his home country and who is unable or unwilling to return because of a credible fear of persecution in his home country.

**Refugee Authorized Admissions:** The maximum number of refugees that the US government allows entry to the US in any given year. In 2019 this number was 30,000.

**Regulation:** A rule, with the binding force of law, that is imposed by a government bureau (such as the USCIS) with authority over the subject matter that the rule concerns. Compare this with a statute, which is a law that must be passed by a legislature. Regulations often clarify the application of a statute by providing further detail.

**Reject:** To refuse to accept an application for immigration benefits because the application is incomplete. This does not necessarily mean the application will be denied, because the applicant will typically be given an opportunity to complete the application by a certain deadline.

**Removal:** Also called deportation. Removal occurs when an alien who is found inadmissible to the US is forcibly removed from the country. It might mean, for example, putting that person on a plane headed back to his home country.

**Residence:** Your residence is where you live at any given time. Note that your residence may or may not be the same as your domicile. For your residence to also be your domicile, you must intend to remain at your residence for the foreseeable future.

**Resident Alien:** Also known as permanent resident or lawful permanent resident. An alien who has been granted lawful permanent residence in the US.



**Request for Evidence (RFE):** A document sent by the USCIS to an applicant for immigration benefits, requesting additional evidence to accompany the application. It includes a deadline, and if the evidence is not provided by the deadline, the application will be considered abandoned. It is not at all unusual to receive at least one RFE.

**Revoke:** To withdraw an immigration benefit after it has already been granted. The citizenship of a naturalized citizen might be revoked, for example, if they are discovered to have lied on their citizenship application.

## S

**Service Center:** A local office of the USCIS; over 200 are scattered throughout the US. USCIS Service Centers handle a wide variety of services, including processing applications for immigration benefits.

**Special Agricultural Workers:** Special Agricultural Workers were qualified agricultural workers who were able to adjust their status to lawful permanent resident. Under the Immigration Reform and Control Act of 1986. Over 350,000 people were able to become lawful permanent resident this way.

**Special Immigrant Juvenile Status:** An immigration status that allows certain children whose presence in the US is illegal to apply for lawful permanent residence. This program is humanitarian in nature, and it is designed to benefit children who have been abused, abandoned, or neglected by one or both parents.

**Specialty Occupation:** An occupation that requires at least a bachelor's or its equivalent in a particular specialized field. H-1B visas are generally limited to aliens who are in specialty occupations, and the definition of "specialty" has been growing narrower every year.

**Sponsor:** A person who assumes responsibility for an alien while they are in the US. An employer might sponsor an alien employee, for example, or a US citizen or permanent resident might sponsor his alien spouse.

**Spousal Visa:** A visa that allows the spouse of a US citizen or permanent resident to enter the US for the purpose of becoming a lawful permanent residence based on the marriage. Same-sex marriages were recently included within the scope of this visa.

**Stamp:** A mark placed on your passport indicating your receipt of a particular immigration benefit, typically a visa.

**Supporting Documents:** Applications for immigration benefits typically require an application form as well as certain supporting documents such as (depending on the type of immigration benefit sought) a birth certificate, a marriage certificate, a personal statement, etc. Failure to supply all requested supporting documents will trigger the mailing of a Request for Evidence (RFE) to the applicant.



## T

**Temporary Protected Status (TPS):** An immigration status, created under the Immigration Act of 1990, that allows citizens of particular countries refuge in the US due to war or environmental disaster affecting that country. The Attorney General decides which nations' citizens are eligible for TPS.

**Temporary Worker:** An alien who comes to the US for temporary employment on a nonimmigrant visa.

**Termination of a Case:** Termination of a case can occur when an alien located abroad applies for a US immigration visa at a US embassy or consulate, US immigration authorities contact the applicant to provide further information, and the alien fails to reply to the request. At this point the termination process begins, but the alien has up to two years to notify the embassy or consulate that he does not wish the application to be terminated.

**Third Preference:** An immigration category for the married children of US citizens, along with their spouses and children. Third preference immigrants may face significant delays in immigration due to a large backlog of cases.

**Tourist:** Someone who comes to the US for pleasure (sightseeing, etc.), typically on a B-2 visa.

## U

**U.S. Citizenship and Immigration Services (USCIS):** A subdivision of the Department of Homeland Security that is responsible for legal immigration to the US. Its responsibilities are domestic — if you are located in the US, for example, you can apply for many different types of immigration statuses through the USCIS, while if you are overseas you must apply through a US embassy or consulate overseas.

**USCIS Number:** Colloquial. The same number as an alien registration number.

**Upgrade a Petition:** If you are a lawful permanent resident, petition for the immigration of one of your family members based on your permanent resident status, and later become a citizen while the petition is still pending, you can upgrade your petition to the petition of a US citizen petition for your relative. This could help your relative get into the US sooner.

## V

**Visa:** Permission to enter the US. A visa is typically stamped onto your passport after a visa application is approved. You can think of it as a key that allows you to unlock the door to the US. A visa is not the same as immigration status — if you have already entered the US, you can stay even if your visa has expired, as long as your immigration status has not expired.

**Visa Bulletin:** The visa bulletin, which is available online, tells you which immigrant numbers are available and provides information on when various applicants for immigration benefits should submit their



applications to the National Visa Center. The Visa Bulletin is useful for people who have applied for immigration under programs that have applied annual numerical quotas.

**Visa Number:** The visa number is a combination of letters and numbers (typically one letter followed by a string of numbers) that is printed in red on your visa. Its purpose is to identify your particular visa to distinguish it from all others.

**Visa Status:** The status of your visa application (approved, denied or pending, for example). In most cases you can check your visa status on the website of the US embassy or consulate where you applied for it.

**Visa Validity:** The period during which your visa is valid. Typically a US visa is valid on the day it is issued and it extends until the expiration date shown on the visa. The validity of a single entry visa ends on the date that you enter the US, however, and it is also possible for immigration authorities to cancel your visa even after it is issued (if you lied during your visa interview, for example).

**Visa Waiver Program:** A program that allows citizens of particular countries to enter the US without a visa, for purposes of business or pleasure. You can stay in the US up to 90 days this way, but you cannot earn money from a US source or extend your stay.

**Voluntary Departure:** A voluntary departure occurs when an alien who is subject to removal (deportation) departs the US voluntarily. The fact that they departed with no order of removal against them will make it easier to obtain permission to visit the US in the future. An immigration judge may allow a removable alien to depart the US voluntarily by a certain deadline. Failure to depart by this deadline could result in the alien being barred from re-entering the US for up to 10 years, while compliance with the deadline will mean no bar at all.

## W

**Waive:** To refrain from insisting on compliance with a requirement. The USCIS, for example, might waive an application fee if the applicant can prove that he is suffering from financial hardship. If the fee is waived, the alien can file the application without paying the fee.

**Waiver of Ineligibility:** Certain aliens are normally ineligible to enter the US, because they fall within a certain class that US immigration law has deemed inadmissible to the US. Applying for and receiving a waiver of ineligibility will allow you to enter the US despite your initial ineligibility.

**Work Permit:** Authorization for an alien to work in the US. A work permit is typically obtained by filing Form I-765 with the USCIS.