

# THE ALIEN FILE

## New One-Year J-1 Work Visa For 20,000 Irish, Coming Soon!

**Q** I AM WONDERING if you had any information on the news that came out that Ireland is going to be given 20,000 J1 Visas. My sister would still love to come over and as you know things are going from bad to worse over there with the economy, not much better over here but I do believe there is more opportunity here. If you get a moment I would love to have your feedback and what you think her chances may be?

**A:** ON FRIDAY SEPTEMBER 19, 2008 the *Irish Times* reported that twenty thousand one-year working visas were going to be made available as part of a final round of talks between the Irish Embassy in Washington, the Irish Department of Foreign Affairs, and the US Department of State (DOS). As of press time, DOS had not yet made any announcement on their web site and the American Immigration Lawyers

she will return to Ireland at the end of her stay (i.e., has family in Ireland, a job to go back to, etc.), I would think her chances should be very good.

While this new J-1 visa is a step in the right direction, it will primarily benefit new visi-

yet known which countries will be able to participate but people born in Ireland, Northern Ireland, most countries in Europe (with the exceptions of Poland, England, Scotland, Wales, and Russia), Australia, and New Zealand are usually



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Questions of general interest will be answered in this column which is co-written by Susanna Bogue and Chris Kerosky. Send your questions to Susanna by e-mail

to [sib@justimmigration.com](mailto:sib@justimmigration.com) or write Susanna Bogue, PO Box 22261, San Francisco, CA 94122-0261. The advice in this article is general in nature, so consult an immigration attorney for specific problems.

tors to the US who decide they would want to spend a year here and who are willing to go home and apply for the visa before they become out of sta-

eligible. Canada, Mexico, Brazil and some other countries were also barred from participating in the lottery last year.

More information, including

Association (AILA) was also silent on this new development. As a result, it may not yet be a done deal. However, there is precedent for such a visa as a few years ago the US created a one-year J-1 for nationals of Australia (it appears that New Zealand has also been added to this one-year J-1 according to a memo released by the DOS which was posted on AILA's web site). The Australian one-year J-1 is very similar to the three-month summer student J-1 work visa. Unlike an 18 month training J-1 visa, the one-year visa does not require an employer to sponsor the visa. The person will be expected to find work once they arrive in America, not before the visa is even applied for.

According to the *Irish Times*, the new visa will not come into force until the New Year and they were not sure whether there would be an age limit for applicants. Given that other J-1 visas permit applicants to be of any age (except for the au pair J-1s which are limited in age to young adults), it would be my guess that anyone who has a leaving certificate or a trade will be eligible for these new one-year J-1s. If your sister has finished secondary school or knows a trade, does not have any US immigration violations which could bar her, and can show that

tus. A person who enters on the visa waiver is not permitted to change status after their 90 days so the only way to obtain the one-year J-1 would be to return and apply at the US Embassy in Dublin. It would be assumed that the visa may also be used by those in the northern counties but it is uncertain at this time if the US Consulate in Belfast will be able to process them or if applicants will have to head south to pick up their visa. Generally, a person who resides in Northern Ireland must be processed in Belfast so it may be that accommodations will be made for Irish citizens to apply at any post where they reside. Others who will benefit are those who have never been to the US before, although why such people would want to spend a year here without first checking it out is a question. If your sister has been here before and left when she was supposed to, within the 90 days, she will probably be a good candidate for the new visa once they become available.

#### Lottery:

The DV-2010 lottery opens October 2, 2008 and ends on December 1, 2008. For those few who have not heard of the lottery, the Diversity Visa lottery opens up 50,000 green cards to people born in under-represented countries. It is not

eligible countries, and online applications will be available at [www.dvlottery.state.gov](http://www.dvlottery.state.gov). Instructions are not yet posted but we will review them as soon as they are out and cover any changes in November's Alien File.

As the *Irish Times* notes, "Irish citizens who are interested in working in the USA in the next couple of years should apply for the lottery as it will give them an opportunity to apply for a 'green card' (legal permanent residency)." Obviously, for those who want to stay here for a long time, a green card is a better option than a one-year visa. But the one-year visa may be a sure thing for many people, whereas the lottery is well, a lottery.

Last year, only 132 applicants from Ireland and 35 from Northern Ireland were chosen under the DV Lottery, and that number is very consistent with past year's winners. Irish citizens are not competing against other Irish so much as they are competing against other Europeans and it is expected that given the poor economic outlook throughout Europe this year the demand will be higher.

**November 4th US Election:** If you are a US citizen and are registered to vote, please do not forget to cast your vote for President on Tuesday Nov. 4th.