

# VCU Steps for H-1B Visa Extension

V i r g i n i a C o m m o n w e a l t h U n i v e r s i t y

Please complete and submit the listed documents **at least five months prior** to work start date.

1. H-1B Worksheet for Labor Conditions Application (*two pages*) – must be completed by applicant's department. **NOTE: It is now taking at least one month to receive the prevailing wage determination from the Department of Labor. Please keep this in mind when preparing the H-1B paperwork. GEO-IS will accept the Labor Conditions Worksheet before the rest of the H packet is ready in order to get an earlier start on the process.**
2. **NEW: Export Compliance Questionnaire—must be completed by employee's direct supervisor. (Required by federal regulation starting February 20, 2011.)**
3. Wage Determination Form (*one page*) – must be completed by applicant's department.
4. Sample Appointment Letter (*two pages*). Please draft the letter on your department's letterhead – must be completed by applicant's department.
5. Applicant's H-1B forms (*nine pages*) – must be completed by applicant. (Please forward to the prospective H-1B visa holder for him or her to complete and send to this office.)

**Fees: Please note that on November 23, 2010, many USCIS processing fees increased.**

6. **Invoice to be sent to Accounts Payable:** H-1B Petition Fees (*one page*) – must be completed by applicant's department (*if applicant is not paying the fees*) and sent to accounts payable. Do NOT send to GEO-IS.
7. H-1B processing fee of \$500 due to GEO-IS at time of petition submission. This fee may be transferred via Journal Voucher to index number 1-10209 (account 600099).
8. H-1B processing fee of **\$325** due in check form made out to "U.S. Citizenship and Immigration Services." (P.O. Box 10129, Laguna Niguel, CA 92607, tax ID 03-0180166)
9. **If you are requesting premium processing**, also include a check for **\$1,225** made out to U.S. Citizenship and Immigration Services. (Premium Processing Service, P.O. Box 10129, Laguna Niguel, CA 92607 tax ID 03-0180166) Please keep in mind that USCIS is taking approximately 5 months to approve H-1B extension petitions.

If you have any questions regarding the procedure please do not hesitate to contact the GEO-IS at (804) 828-0595.

Thank you for your cooperation.

Updated 2011

# VCU H-1B Worksheet for Labor Conditions Application

Virginia Commonwealth University

**NEW: US Department of Homeland Security has increased H-1B petition scrutiny. As a result, we must submit prevailing wage requests to the Department of Labor for determination. This is taking approximately 30 days. Please keep this in mind when working on petitions. If needed, submit this form, the LCA worksheet, early and deliver the rest of the H-1B package when it is ready.**

Name of employee (beneficiary): \_\_\_\_\_  
*Last* *First*

Employing department (petitioner): \_\_\_\_\_

Federal Express/ UPS Acct # \_\_\_\_\_ \$500 Journal Voucher \_\_\_\_\_

VCU job title: \_\_\_\_\_

Type of Employment: Postdoc Teaching and Research Classified Staff

**NEW: You must attach a comprehensive job posting notice or job description (EWP) that details what employee will do and any fields of research the employee will be involved with. If one does not exist, you must create one.**

**Working Title** and name of immediate supervisor \_\_\_\_\_

Phone number \_\_\_\_\_ E-mail \_\_\_\_\_

Personnel Administrator \_\_\_\_\_

Phone number \_\_\_\_\_ E-mail \_\_\_\_\_

**Regarding position (if not applicable, please type "N/A"):**

Number of full-time workers employee will supervise. \_\_\_\_\_

List any possible travel requirements for the position, e.g., for research, conferences etc.

\_\_\_\_\_

List any working conditions that affect rate of pay (hazardous conditions, extra physical expectations, etc.).

\_\_\_\_\_

Minimum degree required \_\_\_\_\_ List any/ all field(s) of degree acceptable for position.

\_\_\_\_\_

Is an additional degree required for the position? If so explain

\_\_\_\_\_

List any additional job training and/or previous employment experience required. Specify number of months and fields.

\_\_\_\_\_



# H - 1 B Worksheet for Labor Conditions Application (cont'd)

V i r g i n i a C o m m o n w e a l t h U n i v e r s i t y

List any special skills, licenses/ certifications required for the position.

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List all complete physical addresses where employee will be working.

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Dates of employment (mm/dd/yy): Begin date: \_\_\_\_\_ End date: \_\_\_\_\_  
(Maximum **three years**, and dates must agree with dates of employment on letter of support.)

Appointment is Full-time (40 hours per week)

Full-time proposed salary: \_\_\_\_\_ for 12 months.

Appointment is Part-time (anything less than 40 hours per week)

**If not full-time**, give hours per week will work. \_\_\_\_\_ \$ \_\_\_\_\_ / hour if less than full time.

**NOTE:** "Department of Labor regulations require employers to keep records of 'hours worked each day and each week' for all part-time H-1B employees, regardless whether the part-time employee is paid a fixed salary, and regardless of whether the employer currently keeps such hourly records for its other part-time salaried employees." This information must be kept with the personnel administrator in your department (see time sheet example page 3).

Department chair: \_\_\_\_\_ Date: \_\_\_\_\_  
*(printed name)* *(signature in blue ink)*

Personnel administrator: \_\_\_\_\_ Date: \_\_\_\_\_  
*(printed name)* *(signature in blue ink)*

Updated 2011



# I-129 Export Compliance Questionnaire

V i r g i n i a C o m m o n w e a l t h U n i v e r s i t y

Starting 02/20/2011, all petitions for H-1B, L-1 and O-1 visas must use a revised I-129 application form that requires an export certification for each foreign national employee. Even in the United States, transfer, release, or disclosure of controlled technical data, technology or controlled software to a foreign national is deemed to be an export to that country. The end result of this requirement is to determine whether or not a US Department of Commerce and/or US Department of State license is required to allow the nonimmigrant employee access to technology or technical data involved in the nonimmigrant's employment/ research at VCU.

**IMPORTANT: All departments must complete the questionnaire regardless of research field. It will be sent to the Office of Sponsored Programs.**

## **Will you need a license? Fundamental Research, usually not:**

Fundamental research" is basic and applied research in science and engineering where the resulting information is ordinarily published and shared broadly within the scientific community. It is distinguished from proprietary research and from industrial development, design, production, and product utilizations, the results of which ordinarily are restricted for proprietary and/or specific national security reasons. Normally, the results of "fundamental research" are published in scientific literature, thus making it publicly available. Research which is intended for publication, whether it is ever accepted by scientific journals or not, is considered to be "fundamental research." A large segment of academic research is considered "fundamental research." Because any information, technological or otherwise, that is publicly available is not subject to the Export Administration Regulations (EAR) (except for encryption object code and source code in electronic form or media) and thus does not require a license, "fundamental research" is not subject to the EAR and does not require a license.

## **Technology or research not widely published or used by all, probably yes:**

Technologies subject to the Export Administration Regulations (EAR) are those which are in the United States or of U.S. origin, in whole or in part. Most are proprietary. Technologies which tend to require licensing for transfer to foreign nationals are also dual-use (i.e., have both civil and military applications) and are subject to one or more control regimes, such as National Security, Nuclear Proliferation, Missile Technology, or Chemical and Biological Warfare. Foreign technology with U.S.-origin technology commingled to a degree above a de minimis level is considered to be subject to the EAR. Technologies which may require an export license are those which are subject to the EAR and which are listed in the Commerce Control List, see Parts 734, 738, and 774 of the EAR.

Some technologies are under the exclusive jurisdiction of another agency of the U.S. government and are not subject to the EAR. These include defense services which are under the jurisdiction of the State Department and technology related to the production of special nuclear materials which is under the jurisdiction of the Energy Department.

Still other technologies do not require any authorization because they are already "publicly available." These include patent applications; publicly available technology and software (other than software and technology controlled as encryption items) that are already published or will be published; technology which arises during or as a result of fundamental research; or technology which is educational.

## **Additional references to Help You Decide:**

<http://www.bis.doc.gov/deemedexports>

[https://www.pmdtdc.state.gov/faqs/license\\_foreignpersons.html](https://www.pmdtdc.state.gov/faqs/license_foreignpersons.html)

**See next page for actual questionnaire.**

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**Global Education Office - Immigration Services**

817 W. Franklin Street, P.O. Box 843043, Richmond, VA 23284 Tel: (804) 828-0595 Fax: (804) 828-2552



# I-129 Export Compliance Questionnaire (cont'd)

Virginia Commonwealth University

Name of employee (beneficiary): \_\_\_\_\_

Country of Citizenship \_\_\_\_\_ *Last* *First* VCU Working title \_\_\_\_\_

Employing department (petitioner): \_\_\_\_\_

Supervisor and/or Principal Investigator's name \_\_\_\_\_

Phone \_\_\_\_\_ E-mail \_\_\_\_\_

Personnel Administrator \_\_\_\_\_

Phone \_\_\_\_\_ E-mail \_\_\_\_\_

**The immediate supervisor and if applicable, the principal investigator must answer the following questions. Please answer to the best of your ability:**

List the external sources of funding that will be used to support the employee's salary and, if applicable, his/her research. \_\_\_\_\_

If applicable, list VCU Grant or Proposal Number \_\_\_\_\_

If applicable, list VCU Grant or Proposal Title \_\_\_\_\_

Characterize the Research to be Performed (Basic, Applied, Product Development, Testing, etc) and describe the specific purpose and technology area of research.

Will the employee be provided with any sponsor or 3<sup>rd</sup> party proprietary or confidential information, materials, or software? If so, please provide the description.

Will the employee be provided with any government furnished equipment, information, or software? If so, please provide the description.

Additional Comments or Questions?

**I certify that I have answered these questions fully and to the best of my ability.**

Principal Investigator \_\_\_\_\_ *(printed name)* \_\_\_\_\_ *(signature in blue ink)* Date \_\_\_\_\_

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# Part-time H-1B Employee Timesheet

Virginia Commonwealth University

Name of employee: \_\_\_\_\_


Date


Hours


Date


Hours


Date


Hours


Date


Hours


Date


Hours


Date


Hours


Date

Hours

**"Department of Labor regulations require employers to keep records of "hours worked each day and each week" for all part-time H-1B employees, regardless of whether the part-time employee is paid a fixed salary, and regardless of whether the employer currently keeps such hourly records for its other part-time salaried employees."\***

Since you have an approved part-time petition to work specifically \_\_\_\_\_ hours per week, you and your department must keep clear, accessible records of the hours per week you work as proof that you have not worked more or fewer than \_\_\_\_\_ hours per week. This information must be kept with the personnel administrator in your department. A copy of this completed form must also be sent to GEO-IS every March 31, June 30, September 30, and December 31.

Employee signature: \_\_\_\_\_

Supervisor's signature: \_\_\_\_\_

Date submitted: \_\_\_\_\_

\*Taken from page 634 of the NAFSA Adviser's Manual (2007 release).

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# Labor Conditions Application Information

V i r g i n i a C o m m o n w e a l t h U n i v e r s i t y

A Labor Conditions Application (LCA) must be submitted on Form ETA9035 to the Department of Labor (DOL) for approval before an employer may petition for an H1-B visa to hire a foreign national. In order to complete the LCA, the Global Education Office – Immigration Services must verify and document that the following statements are true:

**By signing below, the department agrees to the following as required by the Immigration Act of 1990. [8 CFR 214.2 (h)]**

1. that the alien H-1B worker will be paid the actual or prevailing wage minimum;
2. that the employment of H-1B workers will not adversely affect the working conditions of workers similarly employed in the area of intended employment;
3. that notice of the H-1B application will be provided to the workers employed in the occupation in which the H-1B will be employed as signified by posting the LCA in two conspicuous places. [GEO – IS provides form with directions]
4. that the cost of return transportation to the home country will be covered by the employer in the event that employment is terminated prior to the ending date on the H-1B petition submitted to the Immigration Service.

## REQUIRED SIGNATURES

Principal investigator (*if applicable*) \_\_\_\_\_ Date \_\_\_\_\_

Department chair \_\_\_\_\_ Date \_\_\_\_\_

GEO – IS will complete form ETA 9035 and submit it to the DOL once the attached Worksheet for Labor Conditions Application form, Actual Wage Determination form and a letter of sponsorship have been received.

For further information contact GEO-IS at (804) 828-0595.

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# VCU Actual Wage Determination Form

Virginia Commonwealth University

(to be completed in connection with filing H-1B visa petitions with the U.S. Citizenship and Immigration Services)

Please list the following information on behalf of H-1B beneficiary whom you are sponsoring:

Name	Department/division	Position/title	Degree/field of study	Years of experience

### Instructions for obtaining actual wage

The actual wage is the “wage paid by the employer to all other individuals with [job responsibilities,] experience and qualifications similar to those of the H-1B nonimmigrant, for the specific employment in question.” For staff or classified employees, this is usually a listed range of the wages paid to all workers employed in a similar position.

Faculty and research actually wage ranges can be determined by comparing the salaries offered to people with similar experience and qualifications and responsibilities.

All actual wage determinations **must** be documented e.g., detailed memo explaining compensation system or copy of actual wage scales used by the employer, and submitted to GEO-IS with this form.

*Department of Labor Federal Regulations (20 CFR section 655.731(b)(2), 655.731.(a)(1), & 655.760(a)(3)*

Actual wage (may be a range of salaries) = \$ \_\_\_\_\_/year

Personnel administrator: \_\_\_\_\_ Date: \_\_\_\_\_  
*(printed name) (signature)*

Note: If the VEC indicates that the prevailing wage is higher than the actual wage, the department will have to pay the prevailing wage or the H-1B visa petition cannot proceed. GEO-IS will notify you in this case.

Will the employment of this individual adversely affect the wage and working conditions of U.S. workers similarly employed (please see definition of “similarly employed” above)?

Yes  No

If “yes,” explain why in detail below (attach additional sheet where necessary):

Please obtain departmental signatures as noted below. Attach this completed original wage form to the completed “H-1B Worksheet for Labor Condition Applications” and forward the **original** to the Global Education Office – Immigration Services.

I declare under penalty of perjury that the information provided on this form is true and correct.

\_\_\_\_\_  
*Printed name of form preparer Signature Title Date*

\_\_\_\_\_  
*Printed name of department chair Signature Date*

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# VCU Invoice to be sent to Accounts Payable: H-1B Petition Fees

V i r g i n i a C o m m o n w e a l t h U n i v e r s i t y

Send this form to Accounts Payable with your requisition request.

The purpose of this form is to facilitate the issuance of a VCU check through a purchase order for the H-1B petition filing fees upon behalf of current or incoming H-1B employees. Please complete Section I of this form and submit it to Accounting with the purchase order request for a check.

Per the U.S. Department of Labor rules, the "cost of doing business" associated with the sponsoring of an individual in H-1B status must be borne by the employer. VCU as the employer must bear the base cost of the petition-filing fee, payable to the "U. S. Citizenship and Immigration Services" (USCIS). The petition fee can be paid by the department or, in some instances, by restricted funds. The department should submit one check to our office covering the total filing fee. **The H-1B extension filing fee is \$325. If you also request premium processing, you will need a second check of \$1,225, also written to U.S. Citizenship and Immigration Services. You must request two separate checks to the U.S. Citizenship and Immigration Services.**

**Note: Now separate checks can be requested all on the same day. However, please allow enough time for GEO-IS to receive them.**

Federal grants usually permit the payment of such petition fees if the employee's salary also will be paid in full by the grant. Grants from nonfederal sources may or may not permit the payment of the H-1B petition. If you plan to pay the H-1B fee from any restricted funds, you should review the terms and conditions of the award.

The department portion of the H-1B packet may be submitted to the GEO-IS separately from the check (i.e. you do not have to wait until the check is issued to submit the H-1B request to our office). If you do so, be sure to use the following check stub notation: H-1B for "name of alien employee." Check stubs without the alien's name cannot be connected to a file. **Failure to obtain the check within a timely manner could result in serious filing delays.**

## Department Checklist

- Prepare a requisition. Be sure to put the employee's name on the check stub.
- Send this form and the purchase order to accounting.

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Name of department making request \_\_\_\_\_

Name of employee \_\_\_\_\_

**Purpose of request:** USCIS petition and application fee form H-1B visa classification.

**Make all checks payable to:** "U. S. Citizenship and Immigration Services"  
California Service Center  
P.O. Box 10129,  
Laguna Niguel, CA 92607  
Tax ID 03-0180166

- Make the first check for the amount of \$325.
- If premium processing is being requested, make the second out for \$1225.
- List the employee's name on the check stub.
- The checks must be picked up by the department and accompany the petition. Please do not send them to USCIS by themselves.

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# VCU Sample Appointment Letter

Virginia Commonwealth University

for the H-1B visa  
(To be completed on department's letterhead)

Date \_\_\_\_\_

United States Department of Homeland Security  
U.S. Citizenship and Immigration Services  
California Service Center  
24000 Avila Rd, Rm 2312  
Laguna Niguel, CA 92677

Re: H-1B petition for \_\_\_\_\_

To Whom It May Concern:

This letter is submitted on behalf of Dr/Mr/Ms. \_\_\_\_\_, a citizen of \_\_\_\_\_ by Virginia Commonwealth University. Virginia Commonwealth University (VCU) is an urban, state-supported institution enrolling over 30,000 undergraduate, graduate and health professional students at both academic and medical campuses in Richmond. The medical campus includes VCU Health Systems. The total workforce of the University — faculty, physicians, nurses, and administrative and support staff — is more than 13,600. Dr/Mr/Ms. \_\_\_\_\_ will be working in the Department of \_\_\_\_\_ at VCU.

## The Position Offered

The Department of \_\_\_\_\_ is offering Dr/Mr/Ms. \_\_\_\_\_ a temporary period of employment from \_\_\_\_\_ to \_\_\_\_\_. (Please indicate mm/dd/yy for start and end dates.) Dr/Mr/Ms. \_\_\_\_\_ will be appointed as a/an \_\_\_\_\_ on a full-time basis and will be compensated at the rate of \_\_\_\_\_ per year. A prerequisite for this position is a degree in \_\_\_\_\_. The funding for this research/teaching position stems from \_\_\_\_\_ Dr/Mr/Ms. \_\_\_\_\_'s specific job duties will involve: \_\_\_\_\_

Any patient and/or clinical contact associated with his/her duties as \_\_\_\_\_ will be strictly incidental to her research/teaching appointment. **This employment offer is contingent upon the approval** of Dr/Mr/Ms. \_\_\_\_\_'s H-1B nonimmigrant visa or change-of-status.

**Beneficiary**

Dr/Mr/Ms \_\_\_\_\_'s exceptional qualifications demonstrate that he/she is a professional in his/her field. Dr/Mr/Ms. \_\_\_\_\_ received his/her degree from \_\_\_\_\_ in \_\_\_\_\_, \_\_\_\_\_ she/he received the degree in \_\_\_\_\_.

<Describe applicant's experience and qualifications here>

**Terms of employment**

In the event that employment is terminated prior to the expiration of the H-1B visa, the Department of \_\_\_\_\_ agrees to pay all reasonable costs for Dr/Mr/Ms. \_\_\_\_\_ to return to his/her country of citizenship or legal permanent residence.

Should you have questions concerning this petition, please contact the Director of Immigration Services in the Global Education Office at (804) 828-0595.

Sincerely yours,

Chair, Department of \_\_\_\_\_

**– end draft letter –**

For a foreign medical graduate (non-U.S. medical degree) who will have a faculty appointment that may involve patient contact, the letter must include confirmation that “the physician will be engaged primarily in teaching and research, and all patient contact will be related to that teaching and research.”

**Please note: In order to provide patient care services, a foreign physician MUST have passed Steps 1, 2 and 3 of the USLMLE, have current ECFMG Certification, and have an MCV Hospitals institutional permit or be independently licensed in the state of Virginia. To provide patient care services without meeting these criteria is a violation of state and federal law and is also a violation of H-18 nonimmigrant status.**



# Information for Prospective Employee

V i r g i n i a C o m m o n w e a l t h U n i v e r s i t y

To Prospective VCU employee: \_\_\_\_\_

From: Global Education Office-Immigration Services (GEO-IS)

Date: \_\_\_\_\_

Subject: Documents needed for filing the H-1B visa petition

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Enclosed please find a checklist and instructions for the documentation needed from you in order for VCU to petition the U.S. Citizenship and Immigration Services on your behalf for an H-1B visa. Please **carefully** read all the instructions before beginning to collect documents.

The GEO-IS will assist in making this process as efficient and uncomplicated as possible for VCU departments and employees. Some items or actions are required by law and the regulations are out of our direct control. There are two components to an H-1B visa petition: Department of Labor (DOL) processing and U.S. Citizenship and Immigration Services (USCIS) processing. The VCU department will provide us with the necessary documentation for the DOL processing. Once we have the certified prevailing wage determination (takes approximately 30 days) and the certified Labor Conditions Application (takes approximately 7 days) from the DOL and have all the necessary documentation to file the H-1B petition we will send the petition with supporting documents to the USCIS. Immigration is taking three to four months from **receipt** of the petition to process an H-1B. Filing fee for H-1B visa is **\$325** and the check must be payable to "U.S. Citizenship and Immigration Services."

If your family will accompany you, in addition to the forms in this package, you must complete and sign form I-539 which can be downloaded directly from USCIS web site at:

<http://www.uscis.gov/files/form/i-539.pdf>

The filing fee for I-539 is an additional \$290 and the check must be written payable to "U.S. Citizenship and Immigration Services."

If your spouse's family name is different from yours, please provide a copy of your marriage certificate with a certified translation. For each child included on the form, please provide a copy of the birth certificate and a certified translation.

Once we have received a receipt notice from USCIS for your H-1B extension, you can continue working for 240 days beyond the end date of your current authorization. If you have dependents, they will remain in legal H-4 status until they receive the approval notice at the address you gave on the I-539.

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- 1. Include three copies of your (and your dependents') I-94 (front and back), passport bio page, visa stamp and visa documents (I-20, DS-2019, I-797 H approval notice) with the form. NOTE: You must be in US to submit petition. Passport validity date must be at least six months beyond beginning of extension date.
- 2. **If you have ever been in J-1 or J-2 status, you must attach three copies of either your DS-2019s, IAP-66s or your J visa stamp from your passport.**
- 3. Prepare **three copies of your current, updated, curriculum vitae (CV).**
- 4. Complete the enclosed **Supplement for I-129 form.**
- 5. If you have dependents who will need to change their status to H-4, the **eldest dependent** must complete the attached form I-539 and list additional dependents on the addendum. The filing fee for the form I-539 is **\$290**. This cost is your responsibility. Make check or money order payable to: "U.S. Citizenship and Immigration Services." Submit three copies of supporting documentation.

NOTE: The address you list on the I-539 will be the address to which the approval notices for your dependents are sent. Please be sure you are not moving within the next several months as those notices will **NOT** be forwarded to your new address by the postal service. If you will be moving in the next six months, please use the GEO-Immigration Services address at the bottom of this page on your I-539.

- 6. Fill in, sign and date the "Document Certification" form. **Do not use black ink.** Blue ink is preferred.
- 7. When you have all of the documentation collected, please send the documentation to GEO-IS. We recommend that you first check with your department to determine whether they have completed their part, and verify that it has been sent. Please mail your completed packet to the address below.

# VCU Document Certification

Virginia Commonwealth University

This certification is prepared in compliance with regulations relating to the verification of documents.

Alien name: \_\_\_\_\_  
*First Last Middle*

Date of birth: \_\_\_\_\_  
*Month Day Year*

Country of birth: \_\_\_\_\_

*Copies of documents submitted are exact photocopies of unaltered original documents and I understand that I may be required to submit original documents to an immigration or consular official at a later date.*

\_\_\_\_\_  
*Signature of person certifying*

\_\_\_\_\_  
*Full name typed or printed*

\_\_\_\_\_  
*Date*

# VCU Filing for H-4 Dependent Initial Status or Extensions

V i r g i n i a C o m m o n w e a l t h U n i v e r s i t y

**Who may apply?** (note: this is not for dependents/spouse currently living abroad)

H-4 dependents, the spouse or child of an H-1B, or the spouse or dependents of the principal visa holder who is applying for change of status to an H-1B, may apply to the U.S. Citizenship and Immigration Services (USCIS) for permission to change or extend visa status.

**How do I apply?**

Download from the USCIS website: <http://www.uscis.gov/files/form/i-539.pdf>

The following items must be collected, prepared and brought to the Office of International Education with the principal's H-1B packet: **A completed and signed form I-539**. Please refer to the specific instructions for the Form I-539 below. The I-539 must be completed **by the eldest dependent (spouse or eldest child)** of the principal applying for the H-1B. If there is more than one family member, the additional family members can be included on the Supplement I.

**Part 1: Information about you:** The information requested in Part 1 is information about the eldest dependent. **Type or print address clearly;** the I-797 H-4 approval notice will be sent directly to you. **The U.S. Postal Services will not forward mail from USCIS** therefore you must be sure you will be at that address for at least six months. If you do not have a Social Security number, do not be alarmed, simply leave the space blank. It also is possible that you will not have an A number. If that is the case, please leave the space blank. The last four blanks can be completed with information from your I-94 card. The I-94 form is the white card issued to you when you entered the U.S. and is usually stapled inside your passport. The date of last arrival into the U.S.: Enter the date of your **most recent** entry into the U.S. This date is stamped on your I-94 form. The I-94 number is the 11-digit number located on the upper-left corner of your I-94 form. Your current nonimmigrant status will be written on your original or most recent I-94 card. Your current nonimmigrant status will expire on the date written on the I-94 card, or the date written on the principal's most recent visa document.

**Part 2: Application type.** In Number 1 please check the box that pertains to you. If you are applying for a change of status, the new status that you are requesting is H-4. In Number 2 please enter the total number of dependents that are applying.

**Part 3: Processing information.** In Number 1, the date should match the dates of the H-1B petition. Number 2 is "no." Number 3 is "yes," filed with this application. In Number 4, the name of the principal should be entered in the first box.

**Part 4: Additional information.** Provide the requested information regarding your passport and foreign address. You must have a foreign address. If you do not currently have a residence in your home country, then use the address of a family member still residing in the home country. On the back page please answer questions 3a – 3f truthfully. If you have worked in the U.S., please provide additional information on the addendum page that is attached to the form I-539. If you have not worked, please include a brief statement on the supplement explaining how you will be supported while an H-4 in the United States. **Please remember that an H-4 is not eligible for work authorization unless applying for permanent residence.**

**Part 5: Signature.** Read the information in the Part 5 and sign your name. If the I-539 is being submitted for a child who is unable to complete the form, but can sign or print his/her name, have the child sign in Part 5. If the form has been prepared by someone other than the signatory, that person must enter his/her information in Part 6.

**What other documentation should I provide?**

- A photocopy of both sides of the I-94 card for all family members included in the I-539 who are requesting an extension or a change to H-4 status.
- A check or money order for **\$290** made payable to "U.S. Citizenship and Immigration Services." Money orders can be obtained from area post offices, banks and some convenience stores.
- A photocopy of your passport pages that contain biographical information, as well as the expiration date.

**The GEO-IS will mail both applications together.**

Updated 2011

# VCU Information Needed from Current Employee for H-1B Extension

Virginia Commonwealth University

All pages must be completed by the international employee.

Please list your VCU department/office contact person \_\_\_\_\_  
 This form must be returned **only** to your sponsoring VCU department or office.  
 Please type or print clearly. **All questions must be answered.**

## Section I: Information about the visitor

Surname (*Family name*) \_\_\_\_\_  
*(Please write as it appears in your passport.)*

Given name \_\_\_\_\_ Middle name \_\_\_\_\_ **Required**

Gender:  male  female  
 Marital status:  married  engaged  separated  not married

Date and place of birth \_\_\_\_\_  
*month day year city state or province country*

Passport # \_\_\_\_\_ issue date \_\_\_\_\_ expiration date \_\_\_\_\_  
 Country of citizenship \_\_\_\_\_ *(mm/dd/yy)* *(mm/dd/yy)*

US Social Security number (*if you have one already*) \_\_\_\_\_

Education: Check as appropriate and specify name of school, country where school is located, month & year degree awarded.

Field of study of highest degree \_\_\_\_\_

If degree awarded by a U.S. university, give name **and street address** for that university.

Degree	School name	Country where school is located	Year degree awarded
Doctor of Philosophy			
Doctor of Medicine			
Bachelor of Medicine & Surgery			
Master's			
Bachelor's			
Other ( <i>Please specify</i> )			

Mailing address outside of the U.S. including house number, street, city, province, country and postal code. (*At least one complete foreign address is required. Use a relative's home address if necessary.*)

\_\_\_\_\_  
 Telephone \_\_\_\_\_ E-mail address (*if applicable*) \_\_\_\_\_



REQUIRED: U.S. Consulate where you will apply for your visa stamp if outside US. (*Canadian citizens do not need visa stamp in passports. Persons changing visa class in the U.S. must list a post in their home country.*)

\_\_\_\_\_  
City Country

Home residential address in the U.S. ,including city, state and zip code

\_\_\_\_\_  
U.S. telephone \_\_\_\_\_ U.S. facsimile \_\_\_\_\_

U.S. e-mail address (*if available*) \_\_\_\_\_

**Section II: U.S. visa history**

- The number on my I-94 card is \_\_\_\_\_. My last date of arrival in the U.S. was \_\_\_\_\_.
- The expiration date of my current status is \_\_\_\_\_. **Enclose a copy of I-94 (front and back)**
- If you have now or have had in the past an Employment Authorization Card, I-766, give us your A#: \_\_\_\_\_ and the expiration date on the card: \_\_\_\_\_. The A# usually is found in the upper-left corner of the card. This card is given to those who have filed an I-765 Application for Employment Authorization with the USCIS. **Enclose a photocopy of the I-766.**
- **NEW: An explanation of your international travel plans for the next six months. Be aware that if you have international travel plans within the next 6 months, you may need to request premium processing in order to get your H approval to return to the US.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Required processing times for visa documents from the date of receipt of a complete application:**

**A complete application** is defined as the Request for Temporary Visa form, plus additional supporting documents where necessary from the hosting department. The H-1B will take approximately four to six months to obtain.

**Important note:** If you are in the U.S. in a visa class not sponsored by VCU there may be further delay in obtaining the appropriate visa for you. **Changing or correcting the visa class after arrival may take several months, and you may not work or be put on the payroll for salary or benefits purposes until the U.S. Citizenship and Immigration Services approves the change.**

During the last seven years, have you been in the U.S. in any visa class other than tourist?  yes  no  
**If "yes,"** complete this section. Begin with your current visa class and work backward. Attach a separate sheet if necessary. Enclose **copies of your** I-797, I-94 (front and back) H-1B visa (if you have one) and passport.

Began	Ended	Visa	Class purpose of stay and location
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Have you ever been a J-1 exchange visitor or a J-2 dependent? If so, please note the exact beginning and ending dates of that status \_\_\_\_\_

Also, please attach three copies of your DS-2019s/ IAP-66s or the J visa page in your passport.

If you are now or have been in the U.S. on a J visa and were/are subject to the Two-Year Home Country Physical Presence Requirement, have you applied for a waiver of the requirement?  yes  no

**If "yes,"** explain current status of the application. **If it has been approved, please attach three copies of the I-797 approval.**

Have you ever filed, or has anyone ever filed for you, any forms, petitions, applications or labor certifications for lawful permanent residence status (i.e. immigrant status, green card) at a U.S. Immigration Office in the U.S. or at a U.S. embassy or consulate outside the U.S.?  yes  no

**If you answered "yes,"** please list your A number (at the top of your receipt notice for that particular petition) \_\_\_\_\_

**Also,** attach a separate sheet and explain. Include: what forms were filed, the date and place of filing, the name of the person who filed, the relationship of that person to you, the final decision on the application or petition, the current status of the application or petition.

Has any U.S. visa application of any kind filed by you or for you ever been denied?  yes  no

**If "yes,"** attach a separate sheet and explain. Include the kind of application, the date and place it was filed, the reason for denial.

Are you or any family members applying with you currently in exclusion or deportation proceedings?  yes  no

Do you have any relatives who are U.S. citizens?  yes  no

**If "yes,"** what are their relationships to you?

Do you have any relatives who have lawful permanent residence (green card) status in the U.S.?

yes  no

**If "yes,"** what are their relationships to you?

**The applicant for a visa must read and sign the following:** *The information given on this visa request form and on attached sheet(s) is true, correct, and complete according to my best information.*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Updated 2011

**Global Education Office - Immigration Services**

817 W. Franklin Street, P.O. Box 843043, Richmond, VA 23284

Tel: (804) 828-0595

Fax: (804) 828-2552

### Section III: Family members

Complete this for spouse and children. Only spouse and unmarried children under 21 may be included as family members.

Will your spouse and/or any of your children have their own positions in the U.S. that will give them their own visa?  yes  no. If "yes," please explain.

Surname or family name of spouse \_\_\_\_\_  
Surname or family name before marriage \_\_\_\_\_  
Given name or names \_\_\_\_\_  Male  Female  
Date and place of birth \_\_\_\_\_  
(mm/dd/yy) city state or province country  
Passport/citizen country \_\_\_\_\_ Passport number \_\_\_\_\_  
Date passport expires \_\_\_\_\_  
(mm/dd/yy)

Spouse will travel with principal visitor. \_\_\_\_\_  
Spouse will arrive later. Expected arrival date: \_\_\_\_\_  
Spouse will not come to the U.S. or is in the U.S. and will not need a visa. \_\_\_\_\_  
Spouse is already in the U.S. and will need a transfer, extension or change of visa status. \_\_\_\_\_

Surname or family name of child \_\_\_\_\_  
Surname or family name before marriage \_\_\_\_\_  
Given name or names \_\_\_\_\_  Male  Female  
Date and place of birth \_\_\_\_\_  
(mm/dd/yy) city state or province country  
Passport/citizen country \_\_\_\_\_ Passport number \_\_\_\_\_  
Date passport expires \_\_\_\_\_  
(mm/dd/yy)

Child will travel with principal visitor. \_\_\_\_\_  
Child will arrive later. Expected arrival date: \_\_\_\_\_  
Child will not come to the U.S. or is in the U.S. and will not need a visa. \_\_\_\_\_  
Child is already in the U.S. and will need a transfer, extension or change of visa status. \_\_\_\_\_

Surname or family name of child \_\_\_\_\_  
Surname or family name before marriage \_\_\_\_\_  
Given name or names \_\_\_\_\_  Male  Female  
Date and place of birth \_\_\_\_\_  
(mm/dd/yy) city state or province country  
Passport/citizen country \_\_\_\_\_ Passport number \_\_\_\_\_  
Date passport expires \_\_\_\_\_  
(mm/dd/yy)

Child will travel with principal visitor. \_\_\_\_\_  
Child will arrive later. Expected arrival date: \_\_\_\_\_  
Child will not come to the U.S. or is in the U.S. and will not need a visa. \_\_\_\_\_  
Child is already in the U.S. and will need a transfer, extension or change of visa status. \_\_\_\_\_

Updated 2011

Statement of alien regarding prior H classification.

Principal

Family name: \_\_\_\_\_ Given name: \_\_\_\_\_ Ini: \_\_\_\_\_

During the last six years have you been in the U.S. in any "H" classification? \_\_\_\_\_ no \_\_\_\_\_ yes

If you answered "yes" list all dates and H categories. List only those dates you were present in the U.S.

<b>Category</b>	<b>From (mm/dd/yy)</b>	<b>To (mm/dd/yy)</b>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Dependent

Family name: \_\_\_\_\_ Given name: \_\_\_\_\_ Ini: \_\_\_\_\_

During the last six years have you been in the U.S. in any "H" classification? \_\_\_\_\_ no \_\_\_\_\_ yes

If you answered "yes" list all dates and H categories. List only those dates you were present in the U.S.

<b>Category</b>	<b>From (mm/dd/yy)</b>	<b>To (mm/dd/yy)</b>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Dependent

Family name: \_\_\_\_\_ Given name: \_\_\_\_\_ Ini: \_\_\_\_\_

During the last six years have you been in the U.S. in any "H" classification? \_\_\_\_\_ no \_\_\_\_\_ yes

If you answered "yes" list all dates and H categories. List only those dates you were present in the U.S.

<b>Category</b>	<b>From (mm/dd/yy)</b>	<b>To (mm/dd/yy)</b>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Dependent

Family name: \_\_\_\_\_ Given name: \_\_\_\_\_ Ini: \_\_\_\_\_

During the last six years have you been in the U.S. in any "H" classification? \_\_\_\_\_ no \_\_\_\_\_ yes

If you answered "yes" list all dates and H categories. List only those dates you were present in the U.S.

<b>Category</b>	<b>From (mm/dd/yy)</b>	<b>To (mm/dd/yy)</b>
_____	_____	_____
_____	_____	_____
_____	_____	_____