

H-1B Checklist for Hiring Department

The following material should be completed and submitted to the Office of the General Counsel (203 Main Building) approximately 6 months before the employee expects to begin work at Notre Dame. Upon receipt of the complete H-1B packet the Office of the General Counsel will begin the first phase of the process.

- Prevailing Wage Request Form**
- Deemed Export Attestation Form**
- All documents from “Checklist for H-1B Beneficiary”**
- All documents from “Checklist for H-4 Dependents” (if applicable)**
- Travel plans- please inform the Office of the General Counsel if the prospective H-1B will travel abroad during the next 6 months and if so, the dates of travel.**
- A copy of the signed appointment letter or contract and most recent salary notification (if applicable)**
- H-1B Beneficiary Information Form (to be completed by employee)**

FILING FEES:

Please have checks sent directly to your department and include them with the H-1B packet.

Each Fee listed below must be a separate check. The address indicated on the checks for USCIS should be 24000 Avila Road, Room 2312, Laguna Niguel, CA 92677.

- Check in the amount of **\$460** payable to “U.S. Department of Homeland Security.” This fee must be paid by the employing department.
- Check in the amount of **\$500** payable to “U.S. Department of Homeland Security,” for **new petitions only** (consular processing, change of status, and H-1B transfer). This fee must be paid by the employing department.
- If the department or beneficiary wish to expedite the adjudication of the H-1B petition at USCIS by using the Premium Processing Service¹, please include a separate check in the amount of **\$1,410** payable to “U.S. Department of Homeland Security”. This fee can be paid by either the employing department **or** the H-1B beneficiary.

¹ *Premium Processing: USCIS guarantees that within 15 calendar days after receipt of the application, the agency will make the decision to approve or deny the case or issue a request for evidence. Please note that Premium Processing **only** expedites the final phase of the process (I-129 petition). The first two phases of the process can take several months as they cannot be expedited.*

**PREVAILING WAGE QUESTIONNAIRE FOR
H-1B POSITIONS**

Name of H-1B Applicant:			
Position Title:	Position Level:	Annual Salary Offered:	
Description of Duties:			
Hiring Department:		Address where working on campus:	
Name of Supervisor:		e-mail address of supervisor:	
Number of people to be supervised:	Required Degree level for this position:	Required field(s) of study for this position:	
Actual Wage:			
Compare the position with four like positions in the department using a range of highest to lowest annual salary:			
1. Title:	Salary:	Position Level:	Department:
2. Title:	Salary:	Position Level:	Department:
3. Title:	Salary:	Position Level:	Department:
4. Title:	Salary:	Position Level:	Department:
Wage Justification for this position:			
Experience:			
Qualifications:			
Education:			
Job Responsibilities/Functions:			
Specialized Knowledge:			
Other Legitimate Factors:			

Date completed:

Deemed Export Attestation For H-1B Immigration Petitions

Export control regulations prohibit foreign nationals from working with, or receiving information about, specific technologies for reasons of national security or protection of trade. If a visa applicant's work at the University involves such specified technologies, an export license from the Departments of State, Commerce, or Treasury may be required, unless the work qualifies for particular exemptions. The Department of Homeland Security requires that Notre Dame report on H-1B petitions whether a license is required.

The purpose of this worksheet is to provide the Office of Research with enough information about the work the visa applicant will be doing to make a preliminary determination if such a license may be required. If it appears that a license may be required, you will then be asked to complete a more detailed worksheet in order to begin the process of applying for a license. Most visa applicants will not require more than this initial screening worksheet.

The following questions should be answered by the person who will be supervising the visa applicant, or who is otherwise knowledgeable about the applicant's intended work:

1. Visa applicant name: _____
2. Visa applicant's date of birth: _____
3. Visa applicant's country/countries of citizenship: _____
4. Hiring Department: _____
5. Position Title: _____
6. Name of Notre Dame sponsor/PI: _____
7. List the names of faculty members with whom the visa applicant will work:

8. Is the work to be performed by the visa applicant subject to export controls or is any faculty member with whom the applicant will be working engaged in any work or activity subject to export controls?
 Yes No

Based on your response to Question #7, please check the appropriate box below:

<input type="checkbox"/>	A license is not required from either the U.S. Department of Commerce or the U.S. Department of State or the U.S. Department of Treasury to release such technology or technical data to the foreign person; or
<input type="checkbox"/>	A license is required from the U.S. Department of Commerce, U.S. Department of State, and/or U.S. Department of Treasury to release such technology or technical data to the visa applicant and Notre Dame will prevent access to the controlled technology or technical data by the beneficiary until and unless Notre Dame has received the required license or other authorization to release it to the visa applicant.

I certify, based on my review, that the above information is accurate, and that I will notify the Office of Research in the event that any information provided herein changes.

Name:

Date:

Title:

Acknowledgement by Office of Research:

Gregory Luttrell

Director, Research Contracts and Awards

Date:

Checklist for H-1B Beneficiary

It is the responsibility of the employer to file a petition for the H-1B Temporary Worker for a prospective/continuing employee. However, employees who will be sponsored for H-1B status by Notre Dame will need to provide the following materials to the employing department in order for the H-1B petition to be processed:

- 1. Completed H-1B Beneficiary Information Form
- 2. A copy of your **highest degree/diploma**
 - Should reflect period and course of study
 - If not in English, include translation with statement that the translation is complete and correct, that the translator is competent to translate that language, the translator's name, signature and date.
- 3. *Optional but recommended:* a **degree evaluation if the academic degree was not granted in the U.S.**
 - The USCIS will sometimes ask for a degree evaluation for degrees granted outside the U.S. but since the USCIS is not consistent, it is up to the employee if he or she wishes to include a degree evaluation with the H-1B petition. However, please be aware that if USCIS does send a "Request for Evidence" (or RFE) for the degree evaluation, the degree evaluation would then be required to continue with the H-1B petition. Please consult with Office of General Counsel for more information/and or a list of degree evaluation companies.
- 4. A copy of your current, up-to-date **curriculum vitae or resume**
- 5. Provide your department with your address in your home country and the name of the city where you will apply at a U.S. Embassy or Consulate for the H visa. Provide this even if you will change status inside the United States. This information is needed by the department to complete the I-129.
- 6. A copy of your **passport** photo/biographical page
- 7. If you have or have ever had J-1 or J-2 status, a copy of **all DS-2019 forms (and for J-2 status, a copy (front and back) of the employment authorization card (EAD), if applicable)**
- 8. If you have been **subject to 212(e)** while in J-1 or J-2 status, a copy of the **recommendation for a waiver** from the U.S. Department of State or the **I-612 waiver approval** notice from USCIS
- 9. If you have previously held H-1B or H-4 status, a copy of **all previous I-797 approval notices**
- 10. **If H-1B beneficiary or dependents have filed for permanent residency, copies below that are applicable:**
 - copy of I-140 receipt/approval notice
 - copy of I-485 receipt/approval notice
 - copy of advance parole document and/or copy of employment authorization document (EAD)

If prospective H-1B is currently in the U.S., also provide the following:

- 11. A copy (front and back) of most recent **I-94 card**
- 12. A copy of the **most recent visa used to enter the U.S.** (from the passport)
- 13. If you have F-1 or F-2 status, a copy of **all I-20 forms received to date and a copy (front and back) of the employment authorization document (EAD), if applicable**
- 14. **If you are currently employed in the United States**, copies of paystubs for the previous three months worked

Checklist for H-4 Dependents*

As a courtesy, the Office of the General Counsel will submit requests for H-4 dependents with the H-1B petition. However, the list below is provided for informational purposes only. The University of Notre Dame does not advise H-1B family members on legal issues and is not responsible for the legal status of family members. H-1B employees who have questions or concerns about the legal immigration status of a family member may wish to consult with an immigration attorney. The Office of the General Counsel is happy to provide general information and/or a list of immigration attorneys in this area.

This list is only used for requests for H-4 status for a spouse, or children under age 21, who are inside the U.S. Prospective H-1B employees who do not have a spouse and/or children; whose dependents are not in the U.S.; or who have dependents in the U.S. who do not need H-4 status may disregard this page.

If your family members are currently in the United States, please provide the following materials:

- 1. Completed and signed [Form I-539](#)
 - Do not include the H-1B beneficiary on this application
- 2. **\$370** check payable to U.S. Department of Homeland Security (total for all H-4 dependents)
- 3. A copy of each dependent's **passport photo/biographical page**
- 4. A copy (front and back) of each dependent's most recent **I-94 card**
- 5. A copy of each dependent's **most recent visa used to enter the U.S.** (from the passport)
- 6. If a dependent has or has ever had J-1 or J-2 status, a copy of all **DS-2019 forms (and for J-2 status, a copy of the employment authorization document (EAD), if applicable.**
- 7. If a dependent has been **subject to 212(e)** while in J-1 or J-2 status, a copy of the **recommendation for a waiver** from the U.S. Department of State or the **I-612 waiver approval** notice from USCIS
- 8. If a dependent has F-1 or F-2 status, a copy of **all I-20 forms received to date and a copy (front and back) of the employment authorization document (EAD), if applicable**
- 9. If a dependent has previously held H-1B or H-4 status, a copy of **all previous I-797 approval notices**
- 10. **If a dependent is changing to H-4 from H-1B status:** copies of paystubs for the previous 3 months
- 11. For dependent spouses: copy of **marriage certificate** (with English translation)
- 12. For dependent children under age 21: copies of **Birth Certificate** (with English Translation)

***IMPORTANT NOTE:** *If there are dependent family members outside of the U.S. who will apply for H-4 visas, Form I-539 does not need to be submitted to USCIS. When the scholar applies for the H-1B visa, family members can apply for H-4 status at the same time. Family members must show evidence of their relationship to the H-1B beneficiary (marriage and/or birth certificates) and can apply for the H-4 dependent visa. If a family member applies separately, he or she must carry the principal H-1B's approval notice and a confirmation of the H-1B's employment.*

H-1B BENEFICIARY INFORMATION FORM

- The following information is required for the preparation of the H-1B petition on your behalf.
- Answer all relevant questions. Failure to complete all relevant questions may delay the filing of your H-1B petition.
- Please fill out completely. If it does not apply to you, please write, "NA"

Do not leave any space blank

Last Name

First Name

Middle Name

All Other Names (aliases, maiden name, names from all previous marriages)

Date of Birth (mm/dd/yyyy)

Gender: Male Female

U.S. Social Security Number (if any)

A-number (if any) *

A-

* on F1 OPT EAD card or on receipt notice if you have filed an I-485, Adjustment of Status Petition

Country of Birth

Province of Birth

Country of Citizenship

IF IN THE UNITED STATES, COMPLETE THE FOLLOWING:

Date of Most Recent Entry into U.S. (mm/dd/yyyy)

I-94 Number (Arrival/Departure Document)

Current Nonimmigrant Status

Date Status Expires (mm/dd/yyyy)

Student & Exchange Visitor Information System (SEVIS) # (If currently in J1 or F1 Status)

Employment Authorization Document (EAD) # (If currently in F1 OPT Status)

Passport Number

Passport Country of Issuance

Date Passport Issues (mm/dd/yyyy)

Date Passport Expires (mm/dd/yyyy)

Current U.S. Address

Nearest U.S. Consulate or Inspection Facility to your home abroad

Type of Office (Check one): Consulate Pre-flight Inspection Port of Entry

Office Address (City):

U.S. State or Foreign Country:

Your Foreign Address

Street Number and Name:

City or Town:

State:

Province:

Postal Code:

Country:

Do you have a valid passport? No Yes

Do you have dependents who require H-4 status? No Yes -How many?

Is any beneficiary in this petition in removal proceedings? No Yes

In the past 7 years, have you been granted H-1B status? No Yes

In the past 7 years, have you been denied H-1B status? No Yes

Have you ever been a J-1 exchange visitor or J-2 dependent of a J-1 exchange Visitor? No Yes

If yes, provide the dates that you maintained status as a J-1 exchange visitor or J-2 dependent. Also, provide evidence of this status by attaching copies of all DS-2019, and/or IAP-66 forms, or a copy of the passport that includes the J visa stamp.

Dates:

List each of your prior periods of stay in H or L classification in the United States for the last 6 years. Be sure to only list those periods in which you were actually in the United States in H or L classification. Do not include periods in which you were in a dependent status, for example, H-4 or L-2 status.

Period of Stay (mm/dd/yyyy):

From To:

From To:

From To:

From To:

From To:

Highest Level of Education

Major/Primary Field of Study

Do you have any international travel plans between now and the time that your Notre Dame appointment begins or your H-1B extension is approved? If so, what dates?