



**H-1B Orientation for Administrators
OIA Contact Information**

Dan P. Ashton: Associate Director
Melissa Fox: International Scholar and Employee Adviser
Reshecoa Flanders Employee Services Assistant

Web: <http://internationalaffairs.uchicago.edu>
Phone: 2-7752
E-mail: international-affairs@uchicago.edu
Our Location: I-House, 2nd floor
Our Hours: Mon-Fri: 9.00am - 4.00pm

H-1B Status

U.S. immigration law contains an alphabet soup of immigration statuses. Each is designed and intended for different groups of visitors such as tourists, pro-sport athletes, students, employees and scholars.

H-1B status is for temporary workers, even though the position may be a permanent one. An H-1B beneficiary must be temporarily filling the position for an amount of time up to the six-year maximum allowed. Any time spent inside the U.S. in H-1B status may be deducted from this six-year total.

This status is for temporary workers, even though the position may be a permanent one. An H-1B beneficiary must be filling the position temporarily for an amount of time up to the six year maximum allowed. Any time spent inside the U.S. in H-1B status is deducted from this six year total, unless there has been a minimum of twelve consecutive months spent outside of the U.S. between appointments.

As indicated above, the maximum duration of H-1B status is six years. It is possible to obtain extensions of their status up to the six-year maximum. Any such extension must be requested by the department at least 45 days prior to the beneficiary's status end date. If the beneficiary is receiving an extension of their H-1B status, he/she does not need to leave the U.S. to obtain a new visa to continue to work. However, a new visa sticker in their passport may be required if the beneficiary intends to travel internationally.

H-1B status does not have a formal grace period. Additionally, a beneficiary may not enter the U.S. more than ten days prior to the start of employment. If the beneficiary or department terminates employment with the University earlier than initially anticipated, their H-1B status will be revoked. . By law, when their H-1B status/employment ends, the beneficiary must leave the U.S. no later than

the termination date. An informal “grace period” **may** be granted by CBP, which allows the beneficiary to remain in the U.S. for an additional ten days after the end of the H-1B validity period. This informal “grace period” is reflected on the I-94 card/record or the admission stamp. However, this is not a guaranteed grace period provided for by law and there is no way to ensure that remaining beyond the last date of employment will not be viewed as an overstay of their immigration status.

H-1B vs. TN vs. E-3

TN petitions are available to Canadian and Mexican citizens. They have some specific characteristics and qualification requirements, but the extensions and change of status petitions are similar to H-1B petitions.

E-3 petitions are available to Australian citizens. They also have some specific characteristics, but are very similar to H-1B petitions.

The Process

To begin processing an H-1B request, OIA will need the academic unit to submit an H-1B request, along with the actual wage form, I-129 Certification Compliance Questionnaire, and the Departmental Code Sheet, if your department is within the BSD. Once we have the required information, OIA will advise the academic unit whether or not a request for Premium Processing is advisable or may become advisable at a later time.

OIA will then collect from the employee a Personal Information Sheet and a set of documents listed on the sheet. Then, we will locate and print the job description from the HRS on-line job site based on the requisition number provided by the academic unit. However, Postdoctoral Scholars do not have on-line requisitions; therefore, we will need a job description created by the academic unit, which should be included with the H-1B request at the time of submission. All postdoctoral scholar job descriptions need to be on the department’s letterhead, list the education required, experience requirements, and describe the job activities broken down into percentages.

We then use the job description to create a Prevailing Wage Determination (PWD) using statistics provided by the US Department of Labor. Once the PWD is created, we will send the Labor Condition Application (LCA) postings to the academic department to be posted. Department of Labor regulations require that the employer post a copy of the LCA postings in two conspicuous locations where the H-1B employee will be working.

After the postings are up, please email the adviser to confirm that they are posted so we can file the actual LCA with the Department of Labor. Postings must be in place at the time of filing or the LCA is not valid. In addition, certification of the LCA generally takes seven days. After the postings have been up for ten business days, the department may take them down and return the originals to OIA. For reasons of confidentiality, the H-1B worker's name does not appear on the postings. However, when you return the postings to OIA, please enclose some indication of the beneficiary’s name, without writing it on the sheets themselves.

Once all required documents have been submitted by the beneficiary, we will be able to submit the petition. The department will receive a copy of the Receipt Notice once it arrives. Administrators

and beneficiaries will be able to monitor the progress of the petition by going to www.uscis.gov and entering the beneficiary's receipt number listed on the Receipt Notice.

When the petition has been approved, OIA will send the beneficiary their original Approval Notice (Form I-797), a complete copy of the petition, including the LCA, and a memo detailing information related to their H-1B status. OIA will send the department and Payroll a copy of the Approval Notice. In cases of an extension, amendment, or transfer (port), OIA provides Payroll a copy of the Receipt Notice.

OIA will maintain the beneficiary's file as well as the required Public Access Folder and the Department of Labor Examination Folder, as required by law. Files are retained for one full year beyond the end of the academic year during which the H-1B petition/employment expired. If a beneficiary's employment at the University is terminated before the H-1B expires, OIA must withdraw the H-1B petition and the LCA. Therefore, it is critical to inform OIA when a beneficiary leaves his/her position prematurely.

If the employer terminates the H-1B worker prior to the end of the H-1B petition validity period, for any reason, under DHS regulations the employer is required to pay reasonable costs of return transportation to the H-1B worker's last place of residence abroad.

H-1B Fees

	Cost	240-day rule
New	\$825 \$1,225 Premium Processing	No
Concurrent Portable	\$825 \$1,225 Premium Processing Only needed for travel	Yes
Extension Amendment	\$325 \$1,225 Premium Processing Only needed for travel	Yes

Employment

H-1B status is strictly employer based and a worker may never self-sponsor for H-1B status. Prior to the commencement of employment, the H-1B worker must have the proper documentation. This includes an H-1B Approval Notice (I-797) for new employees or employees who are changing status to H-1B from another non-immigrant status. For H-1B employees who are “transferring” (formally called “porting”) from another employer, an I-797 Receipt Notice will act as work authorization. All H-1B employees who are working at the University of Chicago must also have an I-94 Arrival/Departure card/record that indicates the H-1B status. Often times, a new I-94 card is printed on the I-797 Approval Notice.

H-1B employment is employer specific. An H-1B employee cannot have work for multiple employers without filing an H-1B petition for each position. Additionally, if the beneficiary is changing employers the new employer must file an H-1B petition with USCIS.

However, it is permissible for beneficiary’s to visit another institution or organization to give lectures and speeches, but the beneficiary may not receive payment other than for the reimbursement of travel expenses or reasonable lodging expenses during their stay. To receive payment, the other institution or organization would have to file an H-1B petition on their behalf for concurrent employment.

Maintaining H-1B Status

While the beneficiary is in the U.S., it is important that they comply with H-1B regulations. Failure to do so could jeopardize their status and result in them having to stop their activities at the University of Chicago and leave the U.S.

To maintain H-1B status, beneficiaries must follow these simple steps:

- 1.) Continue their employment with the University of Chicago. Termination of employment will cause their H-1B status to end even if the beneficiary has an I-797 Approval Notice and I-94 card/record that appears to be valid.
- 2.) Maintain their documents. Their passport and I-94 card/record must remain valid during their time in the U.S. However, the visa sticker in their passport may expire without consequence.
- 3.) Conduct employment as indicated on the petition. While the beneficiary is authorized to complete their job duties in their departments, they may not accept any other positions at the university or elsewhere without appropriate action being taken to reflect any changes in their status – either at the university or at another institution. If the beneficiary anticipates there may be a change in their employment (such as a change in location), please contact their adviser before this change occurs.
- 4.) Report any change of address. The beneficiary is required to report to USCIS any change of address or name. This action must be taken within ten days of the change. Beneficiaries can update their address online at the USCIS website by filing a Form AR-11.

In addition, it is important that any changes in an H-1B employee’s work status be brought to OIA’s attention. The U.S. Department of Homeland Security has implemented the Administrative Site

Visit and Verification Program (ASVVP). Under ASVVP, unannounced pre- and post-adjudication site inspections are conducted to verify information contained in H-1B petitions. The beneficiary may be contacted directly by a representative from the U.S. Department of Homeland Security as a part of these site visits. They may be asked for several documents, such as copies of their paystubs or W-2. These are legitimate requests, and should the beneficiary have any questions about any such request please instruct them to contact their adviser. Also, please note that these visits and requests are of a routine nature and are conducted on a random basis.

Changing Status to H-1B

An employee who is changing status to H-1B may not work on the basis of the pending H-1B. If no other valid employment status applies, all activities related to employment with the university must cease until the change of status petition is approved.

While their petition to change status to H-1B is pending, the beneficiary cannot travel internationally. H-1B regulations state that if a beneficiary leaves the U.S. between the filing of a change of status petition and its approval, USCIS may consider the change of status request abandoned. This would not automatically prevent the approval of the petition, but the approval may be issued in the form of a consular notification. This would require that the beneficiary travel outside of the U.S., apply for an H-1B visa sticker, and re-enter the U.S. in order for the new status to take effect.

Portability

An H-1B employee who holds valid H-1B status with another employer may work for the University of Chicago for up to 240 days while the change of employer petition is pending with USCIS. If the beneficiary is “porting” his/her H-1B status, the beneficiary should be sure to maintain valid H-1B status with their previous employer until the beneficiary is contacted by OIA regarding the filing of their change of employer petition.

Travel during the portability period (between the filing of the change of employer petition and its approval) is strongly discouraged! If the beneficiary must travel during this period, they must contact OIA before traveling.

Extensions

H-1B extensions are initiated by the Human Resources or Academic Affairs Administrators for their department. OIA will contact the beneficiary to request documents after the request is received. An extension petition must arrive at USCIS prior to the expiration date on the current H-1B.

An Approval Notice is not needed to continue employment during an extension. The beneficiary may continue their employment for up to 240 days while an extension petition is pending, assuming the petition was filed in time. The beneficiary may receive a letter from the Office of Financial Services during this period. This is an automated process and does not reflect whether or not OIA has received an extension request in their case.

International travel during a pending extension is allowed, though not recommended. In order to re-enter the US after the expiration date of an H-1B, the beneficiary must have the valid approval

notice for the extension. If the beneficiary will be traveling, they should contact OIA before departing the US.

Travel Outside of the US

Many of our beneficiaries will need to travel outside of the U.S. while they are here in H-1B status. Before leaving the U.S., the beneficiary must have (or will obtain before re-entry) the appropriate documents. One of these documents is the employment confirmation letter from the department, a template for this letter is available on our website.

Also, if the visa sticker in their passport has expired, the beneficiary will likely need to obtain a new H-1B visa sticker before they can re-enter the U.S. in H-1B status. Visa application processes and documentation requirements vary greatly among U.S. Embassies and Consulates (posts) in the world, and scrutiny levels are impacted by the location of the post, as well as by the nationality of the applicant. As a visa applicant, the beneficiary should always consult with the post where they intend to apply to ascertain what documents are required and what the lead times are for a visa appointment. Due to lead and processing times varying greatly at various posts, the earlier the beneficiary can start the process the better.

Sometimes beneficiaries will be subject to background checks by the U.S. Department of State (DoS). This can delay the visa application process significantly and there are various reasons for these background checks. Some have to do with the nationality or cultural background of the applicant; whereas others have to do with the field of study or research. While the former can often not be avoided, it is helpful to provide a letter explaining their proposed activities with the visa application. Such a letter may help in avoiding a background check for the latter reason and this letter should be written by their department. A template for this letter is available on the OIA website. Should the beneficiary not be able to avoid a background check, please note that the consular officers are not at liberty to discuss the specifics of a background check with our office and we cannot expedite the processing of background checks.

Taxes

OIA is not directly involved with the payment of visitors, nor is/are we involved with taxation and cannot provide the beneficiary with advice on their specific tax situation. Please have them contact Lauren Bautista (lbautista1@uchicago.edu) or Lerone Moore (leronemoore@uchicago.edu) in Financial Services with any questions relating to their individual tax situation or refer them to the OIA website for general advice on U.S. taxes.

Legal Permanent Residency

OIA provides very limited advisement on LPR/green card issues. The University's current policy on green card sponsorship may be found on the university's website at: <http://hrservices.uchicago.edu/fpg/policies/200/p211.shtml>.

1. H-1B Request Form:

Effective 11/1/2013



THE UNIVERSITY OF
CHICAGO

Campus and
Student Life
International Affairs

H-1B/E-3/TN Processing Request

Status Requested:

- H-1B
- New H-1B \$825; (\$325 + \$500) Port H-1B/Concurrent \$825; (\$325 + \$500) Extend/Amend H-1B \$325
- E-3 (Australian citizens only) Type:
- E-3 at Consulate (no fee to department)
- E-3 Filed with USCIS (\$325)
- TN (Canadian and Mexican citizens only) Type:
- TN Entry at Border (no fee to department)
- TN Filed with USCIS (\$325)
- I request premium processing. (The premium processing fee is an additional \$1,225).

Type of request:

Employment dates:

Employment start date: ASAP OR Start date

Employment end date: Max allowed OR End date

Part One: Information about the Academic/Administrative Unit Making the Request

Departmental Contact Name: Dept. Code:

Phone: Fax: Email:

Part Two: Information about the Employee

Name:

Employee's e-mail address:

Gender Male Female



Part Three: Information about the Position

Staff Academic

Department, division, school or institute:

Degree required for position:

Field of study required for position:

Job title:

*If Postdoctoral Scholar, please attach a job description on the department's letterhead.

Requisition #: Annual salary: Benefits amount:

Full-time position: Yes No If part-time, hours per week:

If part-time, rate per hour:

Full address **where work activity will take place**; if any work time is spent at any other location, please list each address with number, street, city, state and zip code, including work location(s) in Chicago:

How many other employees (including student employees) will this individual *formally* supervise?

Part Four: ACCTS Cost Transfer Information

Name of Account:

Account number:

(including subaccount)

Amounts of: \$325 \$500 \$1,225

Name of authorized signatory:

Part Five: Signatures

Please make sure the request form has two signatures.

Name of signer (Chair, Director, or authorized representative)

Signature

Date

Name of signer (Dean, VP, or authorized representative)

Signature

Date

2. Departmental Code Sheet (for BSD):

Effective 11/1/2013

Requests from the BSD MUST include this page. Please check your department in column 1:

<input type="checkbox"/>	20100	BSD Dean's Office (DO)
<input type="checkbox"/>	20102	University of Chicago Physician's Group/Practice Plan (UCPG/UCPP)
<input type="checkbox"/>	20103	Office of Medical Center Development (MCD)
<input type="checkbox"/>	20105	Cancer Research Center (CRC)
<input type="checkbox"/>	2010550	Cancer & Leukemia Group B (CALGB)
<input type="checkbox"/>	2010570	Office of Continuing Medical Education (CME)
<input type="checkbox"/>	2010580	Office of Medical Education (OME)
<input type="checkbox"/>	20107	Animal Resources Center (ARC)
<input type="checkbox"/>	20112	Local Business Center (LBC)
<input type="checkbox"/>	20114	Office of Shared Research Facilities (SRF)
<input type="checkbox"/>	20120	Ben May Department (BMD)
<input type="checkbox"/>	20121	Neurology (Neuro)
<input type="checkbox"/>	20122	Medicine (Med)
<input type="checkbox"/>	20123	Obstetrics & Gynecology (ObGyn)
<input type="checkbox"/>	20124	Radiology (Rad)
<input type="checkbox"/>	20125	Pathology (Path)
<input type="checkbox"/>	20126	Anesthesiology & Critical Care (ACC)
<input type="checkbox"/>	20127	Surgery (Surg)
<input type="checkbox"/>	20128	Ophthalmology & Visual Science (Ophth)
<input type="checkbox"/>	20130	Pediatrics (Peds)
<input type="checkbox"/>	20133	Psychiatry (Psych)
<input type="checkbox"/>	20134	Human Genetics (HG)
<input type="checkbox"/>	20136	Student Counseling & Resource Services (SCRS)
<input type="checkbox"/>	20137	Radiation & Cell Oncology (RadOnc)
<input type="checkbox"/>	20139	Health Studies (HS)
<input type="checkbox"/>	20140	Microbiology (Micro)
<input type="checkbox"/>	20142	Neurobiology (NB)
<input type="checkbox"/>	20143	Neurobiology, Pharmacology & Physiology (NPP)
<input type="checkbox"/>	20144	Ecology & Evolution (EE)
<input type="checkbox"/>	20145	Organismal Biology & Anatomy (OBA)
<input type="checkbox"/>	20146	Biochemistry & Molecular Biology (BMB)
<input type="checkbox"/>	20147	Molecular Genetics & Cell Biology (MGCB)
<input type="checkbox"/>	20148	Family Medicine (Fmed)
<input type="checkbox"/>	20150	Orthopedic Surgery (OS)

3. Actual Wage Form (2 pages):



THE UNIVERSITY OF
CHICAGO

**Campus and
Student Life
International Affairs**

H-1B / TN / E-3 Actual Wage Form

Employee's name
Department, division, school or institute
Job Title
Annual salary

Please provide the salary range of individuals within your school, research institute, department, or laboratory with the same job title and similar qualifications as the H-1B worker. \$ to \$

Please check all of the following factors that were considered when determining the H-1B worker's salary:

- Degree earned Area of Specialization
 Previous work experience Publications
 Requirements from the funding source (grant, etc.)

If the above does not fully describe the factors used to determine the salary for similarly employed individuals, please use the space on the next page to explain your compensation system.

I hereby certify that the salary shown above reflects the wage level paid to all other individuals with similar experience and qualifications working in this school, research institute, department, or laboratory. If there is more than one wage paid, I am able to explain the reason/s for the differential in wages.

Name of signer (Chair, Director or authorized representative):

Signature _____ Date _____

Name of signer (Dean, VP or authorized representative):

Signature _____ Date _____

Please send this form to the Office of International Affairs, 1414 E 59th Street, Room 291. As required by federal regulations, a copy of it will be included in the H-1B Specialty Worker's "Public Examination" file. For the sake of confidentiality, however, the individual's name will be deleted from that copy.

1414 E 59th Street, Chicago, Illinois 60637, Tel. (773) 702-7752, Fax (773) 702-3058
international-affairs@uchicago.edu <http://internationalaffairs.uchicago.edu>

Addendum

Please use this space to explain your compensation system:

4. EAR-ITAR certification (multiple pages):

1/5

rev. 05/30/2013



THE UNIVERSITY OF
CHICAGO

Campus and
Student Life
International Affairs

I-129 Certification Compliance Questionnaire

(**Must** be submitted to the Office of International Affairs in conjunction with an H-1B request)

Visa Applicant: _____	Date: _____
Principal Investigator/Faculty Sponsor: _____	Petition will be filed by external counsel. <input type="checkbox"/> (mark if yes) Name of firm: _____
Department: _____	
Country of Citizenship and Country of Permanent Residence: _____	

The United States Citizenship and Immigration Service requires that an employer, when filing an H-1B petition, certify that (i) it has reviewed the **Export Administration Regulations (EAR)** administered by the U.S. Department of Commerce and the **International Traffic in Arms Regulations (ITAR)** administered by the U.S. Department of State, and (ii) it has determined whether or not a license (prior authorization) is required from either of these Government agencies to allow an employee who is a foreign national access to export controlled items or technology (laboratory equipment/research instruments, materials, software or technology/technical data) controlled under the **EAR** or **ITAR**. The transfer or release to a foreign national of such items by any means is "deemed" to be an export to the foreign national's country of citizenship or permanent residence, potentially requiring an export license unless a particular authorized license exemption applies.

Please complete the questionnaire below. The questionnaire must be completed or signed by the Principal Investigator or other appropriate University authority with direct oversight of the visa applicant's work. The Department Chair must also sign the completed questionnaire. Please note that unless a pre-authorized exemption applies, an export license may be required before the applicant may start his/her activities. Questions should be directed to University Research Administration (URA), after a thorough review of the information published on its web site. (http://researchadmin.uchicago.edu/policies_compliance/research_compliance/export_controls_trade_sanctions.shtml)

1. Will the visa applicant be working in one of the following areas: biomedical sciences, computer sciences, space or space launch sciences, or **any** engineering or scientific discipline? Engineering or scientific disciplines may include but are not limited to the following: Chemical, Electrical, Semiconductor, Material Science, Physics, Mechanical, Geophysical, Marine, Astronomy, Nuclear, Artificial Intelligence or Robotics. [Please provide brief explanation of work assignment]

Check one:

- No, the assignment will not involve, expose or *potentially* expose the applicant to any scientific discipline, including but not limited to the ones listed above. Please sign and date this form below and submit it to the Office of International Affairs in conjunction with your H-1B processing request.
- Yes, the assignment will involve, expose or *potentially* expose the beneficiary to a scientific discipline (including but not limited to one or more of those listed above). You are required to check all the boxes for questions 2-5 below and sign and date at the bottom. If you do not have the information necessary to complete this certification, please contact the Director of University Research Administration (773-702-8604), czuiches@uchicago.edu to complete the processing of this certification questionnaire. If, by virtue of the question, you are unable to check one of the following boxes, University Research Administration will work with you to further determine whether the work intended for the visa applicant requires prior export control authorization from a governing U.S. agency or requires a Technology Control Plan to temporarily or permanently restrict access by the beneficiary to only what is not export controlled.
2. The visa applicant will not be working under a sponsored research agreement (e.g. grant or contract) that restricts or prohibits the participation of foreign persons, i.e. there are no restrictive clauses pertaining to foreign nationals or non U.S. persons participating in the research.
3. The visa applicant will not be working under a sponsored research agreement (e.g. grant or contract) that restricts or prohibits the research team's right to publish any of the data or research results, except for the sponsor's right to review and exclude from intended publication proprietary data that, under the terms of the Agreement, is exempt from publication.
4. In performing the work under the visa, the visa applicant will not be provided access (whether or not actually required for his/her work assignment and whether through hard or soft copy) to:
- Technical data or information that has been stamped or otherwise designated by the sponsor or collaborating institution as "export controlled";
 - Sponsor or third-party proprietary or confidential information, materials, or software that is the subject of a Non-Disclosure Agreement (NDA) or equivalent confidentiality agreement;
 - Proprietary (to sponsor or a third-party) technology for the development of cryptography, or proprietary source code containing cryptographic functionality; and
 - Information pertaining to the "use" of laboratory equipment (that is not in itself the subject or result of self-invented fundamental research): for purposes of this definition, "use" means that all of the following 6 types of activities occur:
 - Operation, installation, maintenance, repair, overhaul and refurbishing.
5. In performing the work under the visa, the visa applicant will not be provided access to research equipment, instruments, materials, software, and/or technical data in any form (e.g. blue print, sketches, specifications, documented technology, vendor operational manual/instructions, data results) that is governed under the **ITAR**.

ITAR covers any item (equipment, instruments, materials, software, and/or technical data as exemplified above) *specifically* designed, developed or modified for military, defense or space applications) and may include such items whether procured from a vendor, or otherwise

received by a research sponsor or collaborating research institution. For a list of the high level **ITAR** categories that identify such defense, military and space items see **Appendix 1** to this Certification. See also (http://www.pmdtc.state.gov/regulations_laws/itar_official.html). For purposes of this certification, "access" means any visual or physical access to the item, regardless of whether such access is actually required by the visa applicant to perform his/her work assignment.

(Note: any such item that has been self-invented and is the precise subject of previously published research by the University of Chicago, may be exempt from this access restriction, pending confirmation by University Research Administration. Please contact University Research Administration if there are any questions about whether access meets the self-invention standard).

CERTIFICATIONS AND APPROVALS

I hereby certify that I am personally knowledgeable with the job duties and other particulars of employment of the visa applicant listed above, and hereby affirm that the contents of the foregoing certification questionnaire are true to the best of my knowledge, information and belief.

I further understand that failure to accurately complete this questionnaire can result in U.S. Government export control violations for which civil and criminal penalties can be assessed against (i) any individual (including a PI) found to have caused or facilitated a violation, and/or (ii) the University of Chicago.

 (Principal Investigator/Faculty Sponsor) (Title) (Date)

 (Department Chair, or
 Authorized Department Representative) (Title) (Date)

OIA and URA Use Only**RECOMMENDATION FOR I-129 CERTIFICATION (check one):**

Must be completed by URA if "Yes" is checked in question 1 and any of the boxes for questions 2 through 5 cannot be checked.

If "No" is checked in question 1, or if "Yes" is checked in question 1 and all remaining boxes are checked in questions 2-5, Check Box 1 will be selected.

In reliance upon the answers provided in the *I-129 Compliance Questionnaire* above and any additional conversations that took place with appropriate University faculty and Department personnel, and upon prior review of the Export Administration Regulations and the International Traffic in Arms Regulations, the following recommendation is made with respect to the completion of Part 6 of the I-129 that is being submitted on behalf of _____:

(Name, Visa Applicant)

Check Box 1

Check Box 2

(Name, please print)

(Title)

(Signature)

(Date)

APPENDIX I

Under the **ITAR**, licenses from the Department of State may be required for foreign nationals engaged in activities involving items or technologies identified on the United States Munitions List (USML) that have a defense, military or space application. The following are the categories of items and technologies controlled under ITAR and listed in the USML (for more information about these categories, the USML can be found at http://www.pmddtc.state.gov/regulations_laws/itar_official.html):

Category I-	Firearms
Category II-	Artillery Projectors
Category III-	Ammunition
Category IV-	Launch Vehicles, Guided Missiles, Ballistic Missiles, Rockets, Torpedoes, Bombs and Mines
Category V-	Explosives, Propellants, Incendiary Agents, and Their Constituents
Category VI-	Vessels of War and Special Naval Equipment
Category VII-	Tanks and Military Vehicles
Category VIII-	Aircraft, (Spacecraft) and Associated Equipment
Category IX-	Military Training Equipment
Category X-	Protective Personnel Equipment
Category XI-	Military (and Space) Electronics
Category XII-	Fire Control, Range Finder, Optical and Guidance and Control Equipment
Category XIII-	Auxiliary Military Equipment
Category XIV-	Toxicological Agents and Equipment and Radiological Equipment
Category XV-	Spacecraft Systems and Associated Equipment
Category XVI-	Nuclear Weapons Design and Test Equipment
Category XVII-	Classified Articles, Technical Data and Defense Services Not Otherwise Enumerated
Category XX-	Submersible Vessels, Oceanographic and Associated Equipment
Category XXI-	Miscellaneous Articles (specifically designed, developed, configured, adapted or modified for military purposes)

5. LCA postings



Notice of Filing of Form ETA 9035E,
Labor Condition Application for H-1B Nonimmigrant/s

Number of H-1B nonimmigrants sought:	One
Occupational classification:	Research Professional
Wages offered:	\$39,010 per year
Period of employment:	5/1/2013 – 4/30/2016
Location at which the H-1B nonimmigrant will be employed:	900 E. 57 th St., Chicago, IL 60637

The Labor Condition Application is available for public inspection at the Office of International Affairs, International House Room 291, 1414 East 59th Street, Chicago, Illinois 60637.

Complaints alleging misrepresentation of material facts in the labor condition application and/or failure to comply with the terms of the labor condition application may be filed with any office of the Wage and Hour Division of the United States Department of Labor.

Federal regulations require that the prospective employer of an H-1B worker post this notice for ten business days in at least two conspicuous locations where the H-1B nonimmigrant will be employed. When the postings are taken down, a departmental administrator must fill in the information requested below and send both originals, not copies, to the Office of International Affairs for inclusion in the "Public Examination" folder maintained for this H-1B position, as required by U.S. Department of Labor regulations. The worker's name must not appear on these sheets.

Dates (month/day/year) of the posting: From _____ to _____

Campus location of the posting: _____

Departmental Administrator:

Signature: _____

Name: _____

Title: _____

Please note: Not posting both notices as instructed above constitutes a violation of U.S. Department of Labor regulations. Not returning both originals of the posting to the Office of International Affairs makes it impossible to maintain the contents of the "Public Examination Folder" which would also constitute a violation. Violations of U.S. Department of Labor regulations can result in sanctions and substantial fines levied against the University.

1414 E 59th Street, Chicago, Illinois 60637, Tel. (773) 702-7752, Fax (773) 702-3058
international-affairs@uchicago.edu <http://internationalaffairs.uchicago.edu>

6. Approval Notice sample:

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-797A, Notice of Action



RECEIPT NUMBER		CASE TYPE I129
RECEIPT DATE		PETITION FOR A NONIMMIGRANT WORKER
PRIORITY DATE	PETITIONER	
NOTICE DATE	PAGE	UNIV OF CHICAGO
UNIV OF CHICAGO C/O TAMARA FELDEN DIR 1414 E 59 ST 291 OFC OF INTL AFFAI CHICAGO IL 60637		Notice Type: Approval Notice Class: H1B Valid from to

The above petition and change of status have been approved. The status of the named foreign worker(s) in this classification is valid as indicated above. The foreign worker(s) can work for the petitioner, but only as detailed in the petition and for the period authorized. Any change in employment requires a new petition. Since this employment authorization stems from the filing of this petition, separate employment authorization documentation is not required. Please contact the IRS with any questions about tax withholding.

The petitioner should keep the upper portion of this notice. The lower portion should be given to the worker. He or she should keep the right part with his or her Form I-94, *Arrival-Departure Record*. This should be turned in with the I-94 when departing the U.S. The left part is for his or her records. A person granted a change of status who leaves the U.S. must normally obtain a visa in the new classification before returning. The left part can be used in applying for the new visa. If a visa is not required, he or she should present it, along with any other required documentation, when applying for reentry in this new classification at a port of entry or pre-flight inspection station. The petitioner may also file Form I-824, *Application for Action on an Approved Application or Petition*, with this office to request that we notify a consulate, port of entry, or pre-flight inspection office of this approval.

The approval of this visa petition does not in itself grant any immigration status and does not guarantee that the alien beneficiary will subsequently be found to be eligible for a visa, for admission to the United States, or for an extension, change, or adjustment of status.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

U.S. CITIZENSHIP & IMMIGRATION SVC
CALIFORNIA SERVICE CENTER
P. O. BOX 30111
LAGUNA NIGUEL CA 92607-0111
Customer Service Telephone: (800) 375-5283



Form I797A (Rev. 09/07/93)N

PLEASE TEAR OFF FORM I-94 PRINTED BELOW, AND STAPLE TO ORIGINAL I-94 IF AVAILABLE

Detach This Half for Personal Records

Receipt #
I-94#
NAME
CLASS
VALID FROM UNTIL

PETITIONER: UNIV OF CHICAGO
1414 E 59 ST 291 OFC OF INTL AFFAI
CHICAGO IL 60637

143524453 10

Receipt Number WAC-08-009-50246

Immigration and
Naturalization Service

I-94

Departure Record Petitioner: UNIV OF CHICA

14. Family Name	
15. First (Given) Name	16. Date of Birth
17. Country of Citizenship	