



Unit Checklist for Extension of H-1B Petition

1. Submit **Request to File Extension of H-1B Petition** form (attached) to HRM.

Following receipt of the form, if necessary, HRM will prepare and file the Labor Condition Application (LCA). This is approximately a four week process. While the LCA is being filed and posted, the unit gathers and submits the documents and requests the check in Step 2.

In some cases, the LCA completed for the original appointment may still be active and does not have to be filed again and posted.

2. Prepare and/or obtain the documents listed below to complete the packet for the H-1B extension.
 - a. **Current** resume'/curriculum vitae, including publication list, if applicable.
 - b. Copy of the employee's most recent I-94.
 - c. Copy of employee's unexpired passport.
 - d. Copies of the employee's most recent three pay checks.
 - e. **Institutional Support Letter** (sample attached) identifying reasons for requesting an extension; duties and responsibilities employee performs; education, training, experience, and background which permits the employee to perform these duties; and a statement describing how the position is temporary in nature (i.e., grant funds, annual review, etc.).
 - f. Secure a check through Accounting Services for the petition filing fee in the amount of **\$325.00** made payable to the Department of Homeland Security (do not abbreviate).
 - g. **Export Control Questionnaire** (attached).
 - h. If employee wants to file for H-4 status for dependents, then the documents listed below should be forwarded to HRM.
 - i. Form I-539 – may be printed from the U.S. Citizenship and Immigration Services (USCIS) web site (www.uscis.gov) and completed by the eldest dependent.
 - ii. Copy of both sides of all dependents' I-94s.
 - iii. Copy of all dependents' unexpired passports.
 - iv. Secure another check in the amount of **\$290.00** made payable to the Department of Homeland Security (do not abbreviate). The dependent check is paid by the employee, not the AgCenter.
3. Forward all documents to HRM. HRM completes Form I-129 and prepares H-1B extension petition packet.
4. If an LCA needs to be completed, the unit will be notified when the LCA is approved. The unit will receive a copy of the LCA and will be required to post it on the unit's bulletin board for two full weeks. After two weeks, the unit removes the LCA and sends it to HRM.

If an LCA does not need to be completed, this Step can be skipped.

5. After the LCA is posted (if necessary) and all the information in Step 2 is submitted, HRM will obtain required signatures on the I-129 and mail the complete H-1B extension petition packet to USCIS. Approval generally can be expected 4 to 6 months thereafter.



Unit Checklist for Extension of H-1B Petition (continued)

6. **Premium Processing:** USCIS offers premium processing services; petitions are reviewed within 15 days from the date of receipt at USCIS. To request premium processing, contact HRM and submit a separate check for **\$1,225.00** made payable to the Department of Homeland Security (do not abbreviate).

NOTE: Premium processing does not guarantee approval.



Request to File Extension of H-1B Petition

Employee's Name: _____

Unit: _____

Job Title: _____ Salary: _____

Period of Appointment: _____ Account #: _____

Proposed Source of Funds (check all that apply): State Federal Grant

Description of proposed job duties:

NOTE: Once an employee has H-1B status, prior to any change in the above duties, location of work, or pay (other than routine increases), you must contact HRM to determine whether or not an amendment to the H-1B petition must be filed before actually making the proposed change(s).

Please obtain information directly from the employee to complete this section. It is important that this information is accurate. Incorrect information could jeopardize the extension of the H1B.

1. Date of Last Arrival in the U.S.: _____

Most recent I-94 #: _____

2. Are there any dependents who must apply for extension of H-4 status?

No Yes (contact HRM for application)

3. Does employee and any H-4 dependents have a valid passport?

No (explain below) Yes (send copies with H1B extension packet)

4. List the employee's and any dependent's prior periods of H classification in the U.S. for the last six years. Do not include time or dates when the individual(s) was not present in the U.S.



(continued)

Request to File Extension of H-1B Petition

Unit Head Attestation:

I hereby request that procedures for an H-1B status petition be initiated for the employee named above. I understand that by filing this petition, I am agreeing to the conditions listed below and will provide any funds associated with complying with these conditions.

- The actual or prevailing wage rate for the position, whichever is higher, must be paid; required rate to be determined by HRM.
- The actual and prevailing wage rates must be reviewed every three years by HRM, and if necessary, updated. The employee's salary must be increased to the new prevailing wage rate if it is higher than the employee's salary at that time.
- Reasonable costs of return transportation of the employee to their home country must be paid if the employee is dismissed from employment by the AgCenter before the end of the period of authorized stay.

Unit Head Signature

Date

Vice President/Dean approval required for appointments from appropriated funds:

Vice President/Dean

Date



Export Control Questionnaire

Candidate's Name: _____ Country of
Citizenship: _____

AgCenter Sponsor/PI: _____ Date: _____

The Department of Homeland Security requires employers to state whether an export license is required for the worker if he will have access to export controlled technology or technical data. Effective February 20, 2011, employers are required to certify compliance with the U.S. Department of Commerce's deemed export rules on the I-129 form. Working with foreign national collaborators, institutions, or students may fall under the purview of various federal export control laws. In general, these regulations involve military technology, "dual-use" technologies, as well as nearly any kind of financial transactions with certain embargoes countries or individuals. These impacts are not limited to the physical export of equipment or software; "deemed exports" include dissemination of technical information to foreign persons, whether it occurs within or outside the U.S> This may occur in the context of presentations, emails, personal conversations, site tours, or in training of foreign national research personnel.

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 AgCenter 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 the AgCenter report on the H-1B application whether or not a license is required.

The questions below must be answered by the person who will be supervising the candidate, or who is otherwise knowledgeable about the candidate's intended work.

1. Licenses from the Department of Commerce may be required for foreign nationals who are working on projects that involve "dual-use" technologies that have potential applications to military/terrorist/criminal purposes in addition to the usual commercial uses. These technologies fall into the broad categories listed below. Does the intended work of the candidate fall into any of these categories?

_____ No _____ Yes _____ Possibly

Electronics	Computers, Software
Lasers and Sensors	Material Processing
Navigation and Avionics	Marine

Nuclear Materials, Equipment and Miscellaneous
Telecommunications and Information Security
Propulsion Systems, Space Vehicles and Related Equipment
Materials, Chemicals, Microorganisms and Toxins



Export Control Questionnaire (continued)

2. Licenses from the Department of State may be required for foreign nationals who are working on projects than involve technologies that have potential military or space applications. These technologies fall into the broad categories listed below. Does the intended work of the candidate fall into any of these categories?

_____ No _____ Yes _____ Possibly

Vessels of War and Special Naval equipment
Aircraft and associated equipment
Protective Personal Equipment
Tanks and Military Vehicles
Auxiliary Military Equipment

Military Electronics
Artillery Projectors
Firearms
Military Training Equipment
Ammunition

Spacecraft systems and associated equipment
Toxicological Agents and equipment and Radiological Equipment
Classified Articles, Technical Data and Defense Services not otherwise enumerated
Fire Control, Range Finder, Optical and Guidance and Control Equipment
Launch Vehicles, Guided Missiles, Rockets, Torpedoes, Bombs, and Mines
Submersible Vessels, Oceanographic and associated equipment
Explosives, Propellants, Incendiary Agents and their constituents
Nuclear Weapons Design and related equipment



Sample Institutional Support Letter For Extension of H-1B Petition

<Date>

U.S. Citizenship and Immigration Services
California Service Center
ATTN: CAP EXEMPT H-1B Processing Unit
P.O. Box 10129
Laguna Niguel, CA 92607-1012

RE: Petition for H-1B Status for <Employee's Name>

This letter is written in support to extend the H-1B status for <Employee's Name>. This position has a job title of <job title> and a salary of <annual salary> per year.

The incumbent in this position is responsible for <use this paragraph to elaborate on the duties of the employee and the overall impact or purpose of the research>.

The types of work experience and training of <Employee's Name> make <him/her> uniquely qualified to perform these duties. <He/She> has work experience with <briefly describe the employee's overall relevant work experience and how it relates to the job duties>.

<Employee's Name> is a regular full-time employee. At all times during employment, the LSU AgCenter has the right of control over <his/her> work and work product. <His/her> performance is reviewed and evaluated on a regular basis.

Favorable consideration of this petition is appreciated.

Sincerely,

<Immediate Supervisor or Unit Head>
<Unit>