Hiring & Inviting
International Faculty & Scholars
Spring 2016

Presented by: International Student & Scholar Services
ISSSS: What We Do

- Immigration
- Employment
- Insurance
- Taxes
- Social Security
- Driver License
- Medical Care
- Housing
- Personal Concerns
- Financial Aid
Faculty & Scholar Services – team within International Student & Scholar Services, International Office

- Shannon Kawa – Assistant Director
- Olivia Kim – Senior International Scholar Advisor
- Drew Webster – International Scholar Advisor
- Erin Brown – Assistant International Scholar Advisor
- Rachel Vincent-Rossi – Assistant International Scholar Advisor
Participants

- Name
- Department
- In what capacity do you work with international faculty & scholars?
Today’s Facilities

• Restrooms
• Eat, drink, & be merry!

Scope of today’s training

• Our primary focus will be on current immigration requirements and procedures on our campus.
Agenda

• Introduction
• Visa Basics
• J-1 Exchange Visitors

<Break>

• H-1B Visa Status

<Break>

• Other Visa Statuses
• Payroll, Taxation, & SSNs, Resources
• Q&A
News & Highlights

• Introduction to Guide
• ISSS Staffing Changes
• Email subscription to the ISSS blog: http://blogs.utexas.edu/issss

The University of Texas at Austin
International Office
Visa Basics

Basic Immigration Concepts and Documents
U.S. Government Agencies

Department of State (DOS)

Department of Homeland Security (DHS)
  • U.S. Citizenship & Immigration Services (USCIS)
  • Customs & Border Protection (CBP)
  • Immigration Customs & Enforcement (ICE)
    ➢ Student and Exchange Visitor Program (SEVP)
      – Student and Exchange Visitor Information System (SEVIS)

Department of Labor (DOL)
Visa vs. Status

A **Visa** (stamped in the passport) allows an individual to board transportation to the United States and apply for admission at a U.S. Port of Entry

- Issued by U.S. Department of State
- Valid visa required for entry
  - Exceptions: Canadians, Visa Waiver Program, Automatic Visa Revalidation

**Status** allows a visitor be present in the United States as long as s/he abides by the immigration regulations that govern that status

- Granted by U.S. Customs & Border Protection (CBP) upon inspection at U.S. Port of Entry
- Changed or extended from within the United States by U.S. Citizenship & Immigration Services (USCIS)
Issued at a U.S. Embassy or Consulate

- Allows a visitor to apply for admission to the United States
- Indicates the number of times a visitor may enter the United States within a certain amount of time

It is a travel document only; a visitor may lawfully remain in the United States with an expired visa

Visa processing times and procedures vary, depending on the U.S. Embassy or Consulate
Visa

Number of entries allowed into U.S.

Type of visa

Visa expiration date.

*Not expiration of status*
U.S. Customs & Border Protection enters I-94 information at the port of entry (e.g., airport, border) upon admission to the United States

- Establishes a foreign national’s ability to be lawfully present in the United States (status)
- Provides the date/timeframe by which the individual must depart the United States

Process has been automated for air and sea entries only – still using paper I-94 cards for land entries
I-94 Arrival/Departure Record

Admission (I-94) Record Number: 50611235730
Most Recent Date of Entry: 2015 January 16
Class of Admission: J1
Admit Until Date: D/S

H-1B, B-1/B-2 etc.

Last/Surname: TRAN
First (Given) Name: NGOC MAI
Birth Date: 1988 June 05
Passport Number: N'
Country of Issuance: Vi
J-1 Exchange Visitors

The J-1 Nonimmigrant Visa for Exchange Visitors
J-1 Exchange Visitor Program – General Info

- Program administered by U.S. Department of State
  - Promotes mutual understanding and cultural exchange
- Nonimmigrant intent
- Requires visitors attend a mandatory J-1 Orientation and maintain medical insurance coverage
J-1 Exchange Visitor Categories:

- Research Scholar
- Professor
- Short-term Scholar
- Student Intern
- Specialist
J-1 Exchange Visitor Program – General Info

- Research Scholars and Short-term Scholars must have U.S. bachelor’s degree or a foreign equivalent and have appropriate English skills
- Potentially subject to 12-month and 24-month repeat participation bars and/or 212(e)
- Funding requirements per month:
  - $1,425 for scholar, $725 for spouse, $300 per child
Who can use the J-1 Status?

Great for:
- Lecturers
- Postdoctoral Fellows
- Visiting Professors
- Visiting Researchers
- Student Interns
Who should not use the J-1 Status?

NOT appropriate for:

Tenured or tenure-track positions

Some Exchange Visitors who will want an H-1B visa at a later date

Students not actively pursuing a degree abroad
Advantages to J-1

• Quick to process, via online submission
• Allows up to five years of stay in some categories
• Visitor need not be paid by a UT Department
• Dependent(s) of the J-1 may apply for employment authorization upon arrival to the United States
• Relatively low cost:
  • $300 ISSS Foreign Scholar Services Fee (paid by department) – Research Scholar, Short-term Scholars
  • $500 ISSS Foreign Scholar Services Fee (paid by department or intern) – Student Interns
  • $180 SEVIS Fee (paid online by the foreign national)
J-1 EXCHANGE VISITOR PLANNING

University requirements and basic procedures
Inviting a J-1 Exchange Visitor

• Submit the J-1 Online Request Form
• Submit sponsoring professor agreement and chair agreement
• If the EV is being paid by the department at UT, a signed copy of the letter of employment is required
• Create an HRMS document for the prospective J-1 exchange visitor
• Faculty & Scholar Services cannot issue any DS 2019 forms until HRMS final approval is received for job codes: A006/A010/ A011/A012
J-1 Visitor Responsibilities

- Exchange Visitor (EV) submits biographical information, dependent information, passport, financial documents and English Proficiency form

- EV pays the $180 SEVIS Fee through [www.fmjfee.com](http://www.fmjfee.com) and prints out receipt

- EV uses the DS-2019 form and SEVIS Fee receipt to apply for the J visa at U.S. Embassy or Consulate

- With DS-2019 and J-1 visa, EV arrives in Austin to attend J-1 Scholar Orientation
J-1 Exchange Visitor Timing

How long does this take?

1. Department processing
2. HRMS Processing
3. Submission of scholar documents
4. ISSS document preparation time (up to 2 weeks once ISSS receives all required approvals and documentation)
5. Courier delivery
6. U.S. consulate appointment & processing time (varies)

PLEASE START THIS PROCESS EARLY
(ideally 2-3 months in advance, if possible)
J-1 Insurance Requirements

U.S. Department of State Insurance Requirements for J-1 Visiting Scholars and their J-2 dependents:

<table>
<thead>
<tr>
<th>Coverage</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical Benefits</td>
<td>$100,000</td>
</tr>
<tr>
<td>Medical Evacuation</td>
<td>$50,000</td>
</tr>
<tr>
<td>Repatriation of Remains</td>
<td>$25,000</td>
</tr>
<tr>
<td>Deductible per accident or illness</td>
<td>$500</td>
</tr>
</tbody>
</table>
Insurance Reminders

UT Employee insurance DOES NOT meet the requirement for **repatriation of remains** and **medical evacuation**

Exchange visitors need to provide insurance documentation (translated in English) within 3 days of attending J-1 Orientation

AHP/BlueCross BlueShield Insurance available for purchase
  • Can purchase coverage by appointment with the ISSS Insurance Advisor: [http://world.utexas.edu/isss/insurance](http://world.utexas.edu/isss/insurance)

General Advice
  • EV should show insurance card and photo identification
  • Ask that the provider bill the insurance company directly
  • Keep copies of receipts
Health Resources

University Health Services (UHS) UHS provides general medical care, sports medicine, women's health care, immunizations and allergy shots, travel health services, physical therapy, and health promotion services

- Located on campus
- Subject to subscription fee of $50 per semester
- 24/7 Nurse Advice Line: (866) 412-8795

UHS Urgent Care Clinic is open from 8:00am - 5:30pm Monday - Friday and 11:00am - 3:00pm on Saturday.

<table>
<thead>
<tr>
<th>After Hours Medical Care</th>
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</thead>
<tbody>
<tr>
<td><strong>MedSpring Urgent Care</strong></td>
</tr>
<tr>
<td>2120 Guadalupe St.</td>
</tr>
<tr>
<td>Austin, TX 78705-5516</td>
</tr>
<tr>
<td>(512) 861-8030</td>
</tr>
<tr>
<td>Open daily 9am – 9pm</td>
</tr>
<tr>
<td><strong>FastMed Urgent Care</strong></td>
</tr>
<tr>
<td>1920 Riverside Boulevard, Ste. A-110</td>
</tr>
<tr>
<td>Austin, TX 78741</td>
</tr>
<tr>
<td>(512) 326-1600</td>
</tr>
<tr>
<td><strong>Saint David’s Medical Center</strong></td>
</tr>
<tr>
<td>919 E. 32nd Street Austin, TX 78705</td>
</tr>
<tr>
<td>Emergency room open 24hrs</td>
</tr>
<tr>
<td>(512) 476-7111</td>
</tr>
</tbody>
</table>
Exchange Visitors must attend Orientation at ISSS office upon arrival in order to be validated in SEVIS - within 30 days of program start date!

- J-1 Scholar Orientation is mandatory and has important immigration consequences – it is required by the Department of State.

Monday & Wednesday at 2 pm – appointments scheduled at: [http://world.utexas.edu/issss/scholars](http://world.utexas.edu/issss/scholars)

We present information about immigration, SSN, taxes, driver’s licenses, and family activities

- Scholar must bring: passport(s), visa, I-94 record(s), DS-2019 form(s), DS-7002 (if applicable) and proof of insurance for the entire family.
Important Terms

**DS-2019**
- Form issued by Program Sponsor (usually UT Austin)
- Used by J-1 Exchange Visitor to apply for J visa at U.S. Embassy/Consulate
- Valid DS-2019 necessary for entire program duration/total UT Austin appointment

**Visa stamp**
- Stamp issued by U.S. Embassy/Consulate for entry and affixed in passport
- May expire while visitor is in the United States
- Valid visa only necessary for entry to the United States
I-94 Arrival/Departure Record

The I-94 record should reflect the scholar’s most recent entry, and indicate J-1 or J-2 and Duration of Status (D/S)
J-1 Exchange Visitor Transfers

• For J-1 Exchange Visitors who are already in the U.S. participating in another J-1 program
• ISSS must receive a copy of their current immigration documents i.e. DS-2019, passport, visa stamp, and I-94 record
• Funding requirements and ISSS fees are the same
• The program objective and the J-1 category cannot change
• Will need to transfer program sponsorship to UT Austin before their current J-1 program ends
• There can be no gap in between J-1 programs!
J-1 Student Interns

Certain foreign students may qualify to come to campus for an internship of up to 12 months on an approved internship program with specific objectives as an undergraduate.

J-1 Student Intern category requires additional documentation to issue the DS-2019 and DS-7002.
J-1 Student Interns

Eligibility Requirements:
- Satisfactory progress toward a foreign degree
- English proficiency
- Fulfilling educational objectives for degree program
- Sufficient finances

Program Requirements:
- At least 32 hours a week
- Set goals and objectives
J-1 REGULATIONS & REQUIREMENTS
J-1 Regulation Reminders

- All J-1 scholars must submit the English Proficiency form prior to issuing the DS-2019

- All J-1 scholars must report arrival and departure of J-2 dependents

- All J-1 scholars must report local address, email address, and J-2 email addresses to program sponsor
## J-1 Incident Reporting

**Nature of Incident or Allegation to Report to OPA-AG**

<table>
<thead>
<tr>
<th>Nature of Incident or Allegation</th>
<th>Incident Involving the Criminal Justice System (e.g., arrest, charges, law enforcement, etc.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Exchange Visitor Death</td>
<td>• Sexually-Related Incidents or Abuse (an incident or allegation involving sexual exploitation, harassment or abuse)</td>
</tr>
<tr>
<td>• Exchange Visitor Missing</td>
<td>• Negative Press involving a sponsor’s exchange visitor program</td>
</tr>
<tr>
<td>• Exchange Visitor Serious Illness or Injury (e.g., brain injury, severe burn, major surgery, communicable disease, serious mental health incidents, any condition requiring hospitalization of 48 hours or more, etc.)</td>
<td>• Foreign Government Involvement (including embassy officials)</td>
</tr>
<tr>
<td>• Litigation (related to a sponsor’s exchange visitor program, in which sponsor or an exchange visitor may be a named party)</td>
<td>• Other Situations Impacting Exchange Visitor Safety (e.g., natural disasters, civil unrest, outbreaks of violence)</td>
</tr>
</tbody>
</table>
J-1 Facts to Remember

• Department Chair or Director must confirm the J-1 visit

• It is the J-1 Exchange Visitor’s Responsibility to notify ISSS of J-2 dependents currently in the U.S. or arriving later and to provide evidence of insurance coverage

• J-2 dependents may apply for work authorization after arriving in United States – 90 day processing, typically
Occasional Lectures & Consultations

Employment is limited to area of research/teaching at UT. No outside employment allowed

May be authorized to receive honorarium for occasional lectures or consultations at other institutions
DS-2019 Extension

Research Scholars/Professors (maximum 5 years)
Short-term Scholars (maximum 6 months)
Student Interns – (maximum 12 months)
Specialist- (maximum 12 months)

Provide required documents to advisor:

• Sponsoring Professor letter
• Immigration documents (DS-2019, I-94, visa, passport)
• Proof of funding
• Proof of insurance for self and dependents
REPEAT PARTICIPATION
BARS & 212E
24 Month Bar

Applies to those previously in the United States in J status in Research Scholar/Professor categories for *any amount of time* (includes J-2)

Visitor cannot come back as a J-1 Research Scholar or Professor for 24 months after the end of previous program

Does not apply to J-1 transfers or J-1 Short-term Scholars
12 Month Bar

Applies only to individuals beginning J-1 program in the categories of Research Scholar/Professor

Does not apply to J-1 transfers, those who were in J status for less than 6 months, or J-1 Short-term Scholars

Applies to those previously in the United States in J status for more than 6 months (includes J-2)

Example: current J-1 Student program runs 09/01/2014-08/31/2015. After returning home, the exchange visitor cannot participate in a J-1 program as a Research Scholar or Professor until 09/01/2016.
Two-Year Home Residency Requirement

J Exchange Visitors may be subject when:
- Funded by U.S. or home government, or
- Field of study is on the Department of State’s skills list

212(e) Two-Year Home Residency Requirement Prohibits certain J Exchange Visitors from:
- applying for a change of status in the U.S., or
- obtaining an H visa or permanent residency

The visitor must return home to satisfy the 212(e) home country requirement or obtain a waiver
Pop Quiz

1. What is the maximum amount of time that a J-1 Short-term Scholar can visit The University of Texas at Austin?

2. What are two job codes that require HRMS final approval before the DS-2019 can be issued?
BREAK
H-1B Visa Status

Temporary Worker in a “Specialty Occupation”
H-1B Eligibility Requirements

**Employment must:**
- Be a "specialty occupation"
- Require a minimum of a bachelor’s degree or higher (at UT)
- Job title must be included on Provost’s Policy (pp. 6-8, p. 30)

**Nonimmigrant must:**
- Hold a U.S. bachelor’s degree or equivalent in the area of specialty
- Hold a state license to practice the profession (if applicable)
- Not be subject to 212(e): 2-Year Home Residency Requirement
Overview of H-1B status

**Necessary** for tenured or tenure-track positions

**Preferred** for non-tenured positions for individuals that would be subjected to the 2-year home residency requirement by obtaining J Status

**Status is for temporary employment**

- Increments of up to 3 years
- 6 years total is permitted by regulation, with few exceptions
Overview of H-1B status

Employer-specific & department-specific
- Cannot work outside of UT Austin
- Job changes may require an amended H-1B petition

H-1B employees can have immigrant intent
- May apply for a green card while in H-1B status
- Travel and visa applications may be easier

H-4 dependent spouse and children
- CAN study
- CANNOT work in most circumstances
H-1B Fees

Fees paid by the Department:

- $1000 (initial or transfer)/$750 (extension or amendment) ISSS Foreign Scholar Services Fee
- $500 USCIS Anti-Fraud Fee for new or transfer H-1Bs (does not apply to extensions or amendments)
- $325 USCIS Filing Fee

Other fees - can be paid by employee or department:

- $1,225 optional Premium Processing
- $290 dependent filing fee for H-4 status (if applicable)
## New H-1Bs – Two Ways to Process

<table>
<thead>
<tr>
<th>Change of Status</th>
<th>Consular Processing</th>
</tr>
</thead>
<tbody>
<tr>
<td>• For beneficiaries who are in the United States in another valid visa status</td>
<td>• For beneficiaries who are abroad</td>
</tr>
<tr>
<td>• Filed with USCIS</td>
<td>• Filed with USCIS</td>
</tr>
<tr>
<td>• Status is changed, but no new visa stamp in passport</td>
<td>• U.S. Consulate specified in petition - must obtain visa stamp to enter United States</td>
</tr>
<tr>
<td></td>
<td>• Approval mailed to beneficiary - entry permitted 10 days prior to start date</td>
</tr>
</tbody>
</table>
H-1B Transfer

Employer-specific work authorization:

- Transferring an H-1B is the same process as applying for a new H-1B
- $500 anti-fraud fee required
- Can begin working once USCIS receipt is received (up to 240 days while petition is pending)
- Should not terminate current employment until USCIS Receipt Notice for transfer petition received
H-1B Extensions

• Extension of same employment
• Extending an H-1B is a similar process to applying for a new petition
• $325 filing fee only (no $500 anti-fraud fee)
• Can continue working for up to 240 days beyond the end date of current H-1B status once USCIS receipt is obtained
• Memo sent to Human Resource Services with copy of USCIS receipt
H-1B Amendments

Job-specific work authorization:

• Changes in employment (department, job duties, major salary change, location of employment, number of hours)
• Amending an H-1B is similar process to applying for an extension of H-1B status
• $325 filing fee only, *(no $500 anti-fraud fee)*
• Can begin working in new job once USCIS receipt is obtained
• Usually combined with an extension
Inviting an H-1B Employee

Step 1 – Initiation: Hiring Department & Beneficiary
Step 2 – Prevailing Wage: ISSS & Department of Labor (occasionally)
Step 3 – Labor Conditions Application (LCA): ISSS & Department of Labor
Step 4 – I-129 Preparation: ISSS
Step 5 – Check Request: Hiring Department & Office of Accounting
Step 6 – Filing: ISSS & USCIS
Step 1: Initiation by Hiring Department

The Department (you) will:

- Read: [http://world.utexas.edu/isss/scholars/h1b](http://world.utexas.edu/isss/scholars/h1b), then complete: H-1B Worksheet, Statement of Actual Wage (w/ Documentation of all Employees in Same Job Classification), Export Control Form and Letter of Support
- Collect documents from Employee
- Submit all of the above to ISSS via campus mail
- Remember to start early, preferably 6-8 months in advance, if possible, given government procedures
Department Letter of Support

Must Include:

- Job description & minimum requirements
- Language about temporary nature of employment
- Dates of employment
- Beneficiary’s qualifications
- Return travel guarantee
Return Travel Guarantee

If an employer terminates an H-1B worker’s employment prior to the expiration date of his/her H-1B status, the employer must offer to pay the cost of transportation to return the individual to his/her home country.

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Required by regulation and must be stated within the Department Letter of Support.
Step 2: Prevailing & Actual Wages

Prevailing Wage:
- Faculty and Scholar Advisor determines the Prevailing Wage “in house” using U.S. Department of Labor (DOL) data, or files the Prevailing Wage request through the DOL (can take 45-50 days or more to process)
- Employee’s salary must be at least 100% of the Prevailing Wage

Actual Wage:
- The salary must be within the range of salaries paid by the Department to all workers with the same job title (accounting for experience and education)
Potential Wage Issues

If employee’s salary is not 100% of the prevailing wage, the choices are:

- Raise the actual wage to meet the Prevailing Wage minimum requirement (Director or Chair will need to sign a new support letter)
- Consider other work authorization options (most commonly J-1)
Step 3: Labor Condition Application

After working out the wage requirements, ISSS will:

• File the Labor Condition Application (LCA) with the Department of Labor
  • Attest that employee will be paid at least the prevailing wage
  • Attest that employment of the H-1B will not adversely affect other workers
• Post the LCA online for 10 business days
Step 4: Form Preparation by ISSS

ISSS will prepare the petition on form I-129.
ISSS will email the I-129 so that the Department may use it to request the government filing fee check(s) from the Office of Accounting.
Step 5: Check Request

Request checks from the Office of Accounting

- Form I-129
  - $325 filing fee (all petitions)
  - $500 anti-fraud fee (new and transfer petitions only)
- Form I-907 - $1,225* premium processing
- Form I-539 - $290* dependent filing fee
  - *These filing fees can be paid by the UT Department or the beneficiary
Step 6: Filing with USCIS by ISSS

ISSS uses courier delivery to ship the petition to USCIS

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USCIS adjudication of petitions using standard processing generally takes 3-6 months

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Premium Processing – 15 days
Processing Times Review

- Department processing times – variable
- Prevailing Wage – at least 45-50 days if filed with DOL
- LCA processing – at least 1 week
- ISSS Document Preparation – 1 week
- Office of Accounting checks – approximately 1 week
- Receipt of USCIS filing – 2-3 weeks once filed by courier
- Approval Notice I-797 –
  - 3 – 6 months with standard processing
  - 15 days with premium processing

PLEASE START EARLY, ideally 6-8 months in advance
Finally Approved!

USCIS sends the results of decision to ISSS
ISSS notifies department & employee by email

Employee currently out of US:
- ISSS ships approval documents to employee for visa interview

Employee currently in US:
- Employee schedules appointment with ISSS
**I-797 – H-1B approval notice**

**H-1B approval notice for beneficiary currently in the US**

See guide for sample approval notice for beneficiary currently outside the US.
If in the United States…

The H-1B Employee:

• May begin, continue, or return to employment as of start date on H-1B (or receipt date for transfers/extensions)
• Must update GLACIER record
• Schedules appointment with ISSS for H-1B check-in and to pick up copy of approval notice and new I-94 card
• Completes a new I-9 with hiring department or HRS
If outside of the United States...

- ISSS advisor will send approval and other necessary visa application documents to employee
- Employee goes to a U.S. Embassy or Consulate to apply for H-1B visa stamp
  - Visa processing times will vary depending on the U.S. Embassy or Consulate
  - See “Visa Wait Times” at [http://travel.state.gov](http://travel.state.gov)
Upon Arrival to the United States

The H-1B Employee must:

• Check in with ISSS
  • Schedule an “Individual Advising Appointment for J-1/H-1B Faculty/Scholars”
  • Return original I-797 (approval notice)
  • Present immigration documents
  • Discuss any difficulties in visa process
• Complete an I-9 with department
• Complete GLACIER information
1. ISSS requests to receive the H-1B initiation packet _______ months in advance of the H-1B start date.

2. What is a Return Travel Guarantee and who is responsible for paying it?

3. The maximum amount of time that an employee can be in H-1B status is _____ years. The maximum increment of H-1B status that can be obtained by filing an H-1B petition is _____ years.

4. (True/False) Filing an H-1B extension with USCIS allows for an extension of H-1B status and work authorization for up to 240 days
OTHER VISA STATUSES

O-1, TN, F-1 OPT, B-1/B-2 Visitors, & Visa Waiver Overview
O-1 Nonimmigrant Visa Status

- For extraordinary professionals who have risen to the top of their fields
- Not typical for routine employment
- Often used for those who may not be eligible for H-1B nonimmigrant visa status, due to:
  - Subject to 212(e) 2-year home residency requirement
  - H-1B maximum reached
O-1 Basics

• Extensive documentation
• USCIS processing times potentially faster
• Initial status for up to 3 years; 1-year extensions
• O-3 dependents not eligible to work in United States
O-1 Documentation

- Department Letter of Support
- Contract or Offer Letter
- Consultation/advisory opinion letter
- Evidence of sustained national or international acclaim
TN Basics

- For Canadians & Mexicans
- Only for temporary positions, NOT tenure-track
- 3 year increments; renewable
- Canadians: Processed at U.S. Port of Entry, no visa required
- Mexicans: Processed at U.S. Embassy/Consulate, visa required
- TD dependents **not eligible** to work in United States
TN Documents

Documentation required:

- Specific Employment Letter from Department (ISSS)
- Proof of Canadian or Mexican citizenship
- Degree/experience letters (consistent with job requirements)
- Job must be listed within the NAFTA Appendix 1603.D.1 or on the [U.S. Embassy website](https://www.usembassy.gov)
TN Renewals

By travel:
- Letter of Support
- Proof of degree
- Proof of citizenship
- Prepared by ISSS, mailed to employee
- Presented by employee to visa officer or U.S. CBP

By petition:
- Form I-129
- Letter of Support
- Proof of degree
- Proof of citizenship
- USCIS processing time 4-6 months
- Prepared & submitted by ISSS to USCIS
<table>
<thead>
<tr>
<th><strong>O-1 Petition</strong></th>
<th><strong>TN Petition</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>USCIS Filing Fee: $325</td>
<td>USCIS Filing Fee: $325</td>
</tr>
<tr>
<td>USCIS Premium Processing Fee (optional): $1,225</td>
<td>Faculty &amp; Scholar Services Fee (filed with USCIS): $450</td>
</tr>
<tr>
<td>Faculty &amp; Scholar Services Fee (Initial): $2000</td>
<td>Faculty &amp; Scholar Services Fee (Border or Consular Processing*): $100</td>
</tr>
<tr>
<td>Faculty &amp; Scholar Services Fee (Extension): $750</td>
<td>Visa fee (Mexicans): $160</td>
</tr>
<tr>
<td>Customs &amp; Border Protection fee (Canadians): $50</td>
<td></td>
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</tbody>
</table>
F-1 Optional Practical Training (OPT)

- Work authorization issued by USCIS
- For recent international graduates from U.S. institutions for employment in their field of study
- Maximum: 12 months of authorization
- May begin working with a valid F-1 OPT Employment Authorization Document (EAD)
- USCIS Filing Fee: $380
F-1 OPT STEM EXTENSION

- Work authorization issued by USCIS
- For F-1 graduates with degrees in Science, Technology, Engineering, or Mathematics
- 17 month extension of F-1 OPT
- May begin working with receipt for properly filed application and continue for 180 days
- Employment must be in field of study
- Employer must be enrolled in E-verify at the institutional level
- USCIS Filing Fee: $380
Visitors entering for short-term stays up to 6 months for business or tourist purposes

No ISSS involvement, but an invitation letter from department is recommended

Helpful tip: ALWAYS check with the Office of Accounting on potential payments PRIOR to inviting a visitor to campus!
B-1 Business/B-2 Tourist

- Not eligible for a Social Security Number
- Need previous SSN or ITIN (Individual Taxpayer Identification Number) for honorarium payments
Visa Waiver Program

- Visitors from certain countries that do not require a visa
- Must register (via ESTA) before travel
- No in-country extensions; no change of status
- Maximum stay up to 90 days
- Not eligible for a SSN; Need ITIN for honorarium payments
- I-94 noted as WB or WT
Payments to B-1/B-2/VWP

• Reimbursement allowed for up to a 30-day period
• Honorarium payment may be allowed if:
  ➢ visit is 9 days or less AND
  ➢ visitor has not accepted honoraria from more than 5 institutions within a 6-month period
• Cynthia Roberts in Office of Accounting is the expert on payments to Non-resident Aliens
Determining the Appropriate Visa Status

What is the job title? Is this a tenure-track position?
How long will the visitor stay? Is s/he currently inside the United States?
How will the visitor be paid? What will the salary be?
May the visitor be subject to 212(e) 2-year home residency requirement?
Any previous U.S. entries and U.S. visa statuses?
Is there a spouse who wants to work?
RESOURCES

Payroll, Taxes, & Additional Resources
Payroll and Taxation information (p. 46)

Social Security application (p. 49)

Frequently asked questions (p. 55)

Glossary of immigration terms (p. 56)

Table of visa categories (p. 59)
Good Reasons to Communicate with ISSS

- J-1 visitor delayed arrival
- H-1B Employee’s status expiring in 6 months; J-1 expiring in 3 months
- Faculty or scholar leaving position earlier than planned
- Questions about outside employment
- Change in employee’s salary or number of hours

- Change in employee’s field, site of activity or responsibilities
- Employee is traveling and will apply for a new visa
- Employee has questions about immigration or adjusting to campus life
- Questions about Lawful Permanent Residency (LPR)
- Employee has obtained a “green card”
Advising services available for International Faculty & Scholars *(appointments required)*:

- J-1 Scholar Orientation – Monday/Wednesday, 2:00-3:00 pm
- Individual advising appointments for J-1 & H-1B scholars
- Permanent Residency appointments – Tuesday/Thursday, 2:00-3:00 pm
- Insurance advising appointments
- Appointments booked on our website at: [http://world.utexas.edu/isss/scholars](http://world.utexas.edu/isss/scholars)
Shannon Kawa, Assistant Director
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Erin Brown, Assistant International Scholar Advisor
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Rachel Vincent-Rossi, Assistant International Scholar Advisor
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Shannon Kawa & Olivia Kim work primarily on:
U.S. Lawful Permanent Residency

Drew Webster works primarily on:
H-1B Petitions (Initial, Extensions, Transfers), J-1 Extensions & Work Authorization, any other J-1 questions post-arrival, O-1, TN, and other work-related visas.

Erin Brown & Rachel Vincent-Rossi work primarily on:
Initial J-1 document processing, J-1 Orientation, General Questions for J-1s pre-arrival
Thank you!

International Student & Scholar Services
International Office