



# INTERNATIONAL PROGRAMS

## COLORADO STATE UNIVERSITY

1024 Campus Delivery, Fort Collins, CO 80523-1024 USA • (970) 491-5917 • [international.colostate.edu](http://international.colostate.edu)

## REQUEST FOR H-1B

---

All items on this request must be completed and all supporting documentation must be submitted to the Office of International Programs (OIP) in order to initiate H-1B processing. You may direct questions to Paul Collier ([paul.collier@colostate.edu](mailto:paul.collier@colostate.edu)).

### General Description of H-1B Status

The Department of Homeland Security's U.S. Citizenship and Immigration Services (USCIS) defines an H-1B occupation as a "specialty occupation" which requires the theoretical and practical application of a body of highly specialized knowledge, and the attainment of a bachelor's or higher degree in the specific specialty (or its equivalent) as a minimum for entry into the occupation in the United States. At Colorado State University, H-1B workers are typically professional research staff, IT staff, or faculty. Departments may consider H-1B status for a foreign national if the foreign national will be employed by the University in a full-time position and the appointment will be long-term.

### H-1B Processing Times

Inconsistent governmental processing times and unexpected problems can greatly lengthen the time needed to obtain an H-1B approval. 'Normal' processing times can be seven months or more. Departments are advised to initiate the process well in advance, even for H-1B extensions, due to possible issues with driver's license renewal, international travel, etc. Please note that ISSS cannot guarantee that an H-1B petition will be approved by a certain date due to the highly variable processing times at both the Department of Labor (DOL) and U.S. Citizenship and Immigration Services (USCIS).

### Change of Status, Extension of Status, and Consular Processing options

Change of status - If the foreign national is inside the United States in another nonimmigrant status, the H-1B petition will request a change of status and an extension of stay. The foreign national is authorized to be employed by CSU only when the petition and the change of status are approved.

Extension of status - If the foreign national is already in H-1B status and the University applies for an extension of H-1B status, the foreign national becomes employable for 240 days while the extension petition is pending if the new petition is filed prior to expiration of the current H-1B. In most cases, the petition will be adjudicated during the 240-day period.

Consular processing - If the foreign national is waiting outside the United States, the University will file the H-1B petition requesting consular processing. When approved, the H-1B approval notice will be sent to the foreign national in order that he/she may apply for an H-1B visa stamp at a U.S. consulate. After receiving the visa, the foreign national may enter the United States in H-1B status.

A foreign national may receive an initial authorized stay in H-1B status of up to three years, extendable for an additional three years. In most cases, an individual can be in H-1B status for a maximum of six years. ISSS will assist in filing for an extension of H status upon receipt from the department of written confirmation that the foreign national continues to be employed by CSU.

### Portability

While it is true that H-1B petitions are employer-specific, they are also "portable" in that an individual already in H-1B status may transfer to a new employer as soon as the new employer's H-1B petition is received by USCIS. The beneficiary need not wait for USCIS approval. This can facilitate a quicker transition to a new position of employment for certain foreign nationals.

## **Premium Processing**

In certain “rush” cases, hiring departments may opt to pay a Premium Processing fee (\$1410) to expedite USCIS adjudication. By paying the additional fee, USCIS guarantees to act on the H-1B petition within 15 calendar days. Please note that this speeds up processing only at USCIS. It does not affect the time required to receive a prevailing wage determination and to have a Labor Condition Application certified by the Department of Labor, which must happen prior to filing the H-1B petition.

## **Health Insurance**

All employees must have adequate health and accident insurance for themselves and any accompanying dependents. Although this is not a matter directly addressed in the H-1B regulations, no responsible individual can live and work in the US without insurance. Departments or faculty sponsors should inform their employees about this requirement as part of their financial arrangements.

## **Housing**

Hiring departments may assist new H-1B employees with their search for housing. ISSS is not involved in this process.

## **Process Overview**

After completing this H-1B request packet, the H-1B process involves three (and sometimes four) additional steps:

1. Acquiring a prevailing wage determination from the U.S. Department of Labor.
2. Posting notice and filing a Labor Condition Application (LCA) with the U.S. Department of Labor.
3. Filing an H-1B petition with USCIS. A certified LCA must be included with the petition.
4. If the foreign national is currently outside the U.S., he or she will apply for an H-1B visa (an actual visa stamp to be placed in the foreign national’s passport) at a U.S. consulate abroad after the H-1B petition is approved. This visa is required for admission into the U.S. in H-1B status.

The Prevailing Wage Determination and the Labor Condition Application involve the U.S. Department of Labor (DOL). DOL is responsible for ensuring that foreign workers are paid the same wages as American workers in similar positions. If there is a discrepancy between the prevailing wage and the offered wage, ISSS will attempt to work out a solution with the hiring department.

## **Initiating the H-1B Process:**

The department must complete and return the following to ISSS:

- H-1B Fee Agreement (attached pp. 3-4)
- H-1B Position Information worksheet (attached p. 5)
- H-1B Actual Wage Worksheet (attached pp. 7-8)
- H-1B Departmental Guidelines form (attached p. 9)
- Export Compliance Questionnaire (attached pp. 10-11)
- A copy of the employee’s position description
- A copy of the employee’s offer letter indicating the job duties, dates of intended employment, salary, and title OR If this is an extension of H-1B status at CSU in the same position, a letter confirming the reappointment (see attached example p. 6).
- \$1000 administrative fee - Hiring department prepares an IO for payment of the fee to International Student and Scholar Services.
- \$460 check payable to “U.S. Department of Homeland Security” for filing the H-1B petition. Please attach the H-1B Position Information worksheet and the second page of the H-1B Fee Agreement to your DV as backup documentation.
- \$500 check payable to “U.S. Department of Homeland Security” to pay the anti-fraud fee. Payment of this fee is necessary only if this is a new H-1B (not an extension for someone already at CSU in H-1B status).
- \$1,410 check payable to “U.S. Department of Homeland Security” if premium processing is requested.

**H-1B FEE AGREEMENT**  
(To be completed by the hiring department)

Name of Employee: \_\_\_\_\_

Department: \_\_\_\_\_

<b>INTERNATIONAL STUDENT AND SCHOLAR SERVICES FEE:</b>	<b>\$ 1000.00</b>
This fee must be paid by the hiring CSU department by Internal Order to ISSS.	

This Fee Agreement confirms our understanding and agreement concerning our services. You hereby agree to have CSU International Student and Scholar Services (ISSS) coordinate H-1B processing for this CSU employee. ISSS will provide administrative services on this matter under the following terms:

1. H-1B administrative charges must be paid by IO to International Student and Scholar Services. For other checks associated with H-1B processing, please see the Department of Homeland Security Fee Chart at the end of this agreement.
2. The fee quoted above includes preparation of an H-1B petition for filing with the proper government authority. The fee quoted above includes any appeals, motions to reconsider or motions to reopen your application.
3. The fee quoted above does not include additional work that may become necessary due to a change in the law or additional facts not initially made known to us, such as undisclosed criminal convictions or deportations. If such additional work is necessary, a separate fee will be charged.
4. In the event that, prior to our completing the services described above, you decide to no longer use our services, we agree to charge you a percentage of the fee above for the work completed to-date. However, you will be required to pay the above-described fee in its entirety if the services for which you have retained us are substantially completed when you inform us that you no longer wish to use our services.
5. The administrative fee includes all normal and customary expenses involved in the handling of this type of case including courier services for local filings with USCIS and/or labor departments, postage, long distance phone calls within the United States, overnight mail within the United States, parking fees, photocopies and other normal preparation costs. It does not pay for charges to outside vendors including the filing fees charged by the government, costs for credential evaluation, or other vendor costs.
7. Non-standard costs and expenses, including messenger/courier services for purposes other than those indicated as standard, translation charges, credential evaluations, computer research services, etc., are not included in the standard costs and will be paid by the hiring department, or the employee when appropriate.

8. In addition to the administrative fee, you will be responsible for paying the filing fees to the U.S. Department of Homeland Security (DHS) as they become due (described in the fee chart below). These fees must be paid at the time the H-1B petition is filed with the U.S. Department of Homeland Security.

9. It is agreed that no guarantee has been made as to the time the case will take to complete, nor of the outcome. It is agreed that you will cooperate with ISSS, including providing us with all facts relevant to your case, and that you will keep us advised of changes of address and/or telephone number, employment and other circumstances bearing on the case. It is also agreed that you will execute applications as required and obtain as soon as possible all documents that might be necessary to complete your case.

10. Your signature on this page confirms that you have read this document, understand it fully, and agree to its contents.

\_\_\_\_\_  
**Signature of Department Representative**

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

\_\_\_\_\_  
**Printed Name and Title**

**DEPARTMENT OF HOMELAND SECURITY FEE CHART:**

I-129 Petition to the U.S. Department of Homeland Security	\$ 460.00
Anti-Fraud Fee to the U.S. Department of Homeland Security <i>Not necessary for H-1B extensions of current CSU employees. Mandatory for all other applications.</i>	\$ 500.00
Optional Premium Processing Fee to the Department of Homeland Security	\$1410.00
I-539 Application to the U.S. Department of Homeland Security and I-539A for each co-applicant. <i>Only for individuals that will be H-4 dependents of the H-1B employee and already here in the U.S. This fee is typically paid by the employee.</i>	\$ 370.00 \$ 85.00 biometric fee for applicant and each co-applicant

Each fee must be paid separately by check and made payable to  
**“U.S. Department of Homeland Security.”**

When requesting a check from Accounts Payable, please attach this  
page and the Position Information worksheet as supporting documentation.

All checks should be separate and delivered to ISSS for inclusion  
with the H-1B petition, not mailed directly to DHS.

# H-1B POSITION INFORMATION (To be completed by the hiring department)

Petition Type:  New H1B  Extension (at CSU now)  Portability (H-1B now, but not at CSU)

Name of department: \_\_\_\_\_

Administrative contact person: \_\_\_\_\_ Campus delivery code: \_\_\_\_\_

Administrative contact's phone: \_\_\_\_\_ Email: \_\_\_\_\_

Foreign national's name: \_\_\_\_\_ Job title: \_\_\_\_\_

Total hours per week: \_\_\_\_ Salary: \$\_\_\_\_\_/year Work schedule: \_\_\_\_\_

Physical address where foreign national will work: \_\_\_\_\_  
\_\_\_\_\_

Will travel (other than an occasional professional conference) or field work be required?  Yes  No

Immediate supervisor's name: \_\_\_\_\_ Title: \_\_\_\_\_

Number of professional (non-student) employees the foreign national will supervise: \_\_\_\_\_

Title(s) of professional subordinates (if applicable): \_\_\_\_\_

**Minimum education, training, experience, and other special requirements for this position:**  
(List only the minimum requirements for the position. Do not list attributes of the intended employee.)

Degree(s) Required: \_\_\_\_\_ Field(s) of study required \_\_\_\_\_

Type of training required (N/A if none): \_\_\_\_\_

Number of years post-degree work experience required (N/A if none): \_\_\_\_\_

Other special requirements (if any): \_\_\_\_\_

Dates of intended H1B employment: From \_\_\_\_\_ until \_\_\_\_\_ (usually for 3 years)

If start date is in less than eight months, will department pay \$1,410 premium processing fee?  Yes  No

Describe the proposed duties:

Beneficiary's present occupation and employer:

Name of Department Head: \_\_\_\_\_

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

**Sample Letter Confirming Reappointment  
Required when filing an H-1B Extension  
Please print on Department Letterhead**

USCIS  
California Service Center  
24000 Avila Rd  
Laguna Niguel, CA 92677

To whom it may concern:

This letter is to confirm that Dr. Aurelio Rodriguez has been re-appointed as a Research Associate in the Department of Anatomy and Neurobiology at the salary of \$42,000 per year.

Dr. Rodriguez will continue to be engaged in scientific research in collaboration with Dr. Smith in the Department of Anatomy and Neurobiology. Specifically, he will continue to be responsible for tissue preparation, fixation and staining for DNA, animal experimentation, and maintaining the lab. His job description remains the same as outlined in the original H-1B petition. Projects in the department are ongoing and CSU continues to need Dr. Rodriguez' services.

We look forward to extending Dr. Rodriguez' employment as a Research Associate and request your approval of the H -1B petition.

Thank you,

Department Head

# H-1B ACTUAL WAGE WORKSHEET

(To be completed by the hiring department)

Federal law requires employers to document that H-1B workers will not be paid less than the *actual wage* paid to other similarly employed workers at CSU as documented below. In addition, H-1B workers must not be paid less than similarly employed workers in the geographic area. This figure, called a *prevailing wage*, will be obtained from the Department of Labor. A Labor Condition Application cannot be filed until this worksheet has been adequately completed.

- Provide the required information on several similarly employed workers in the hiring unit/department holding the same title, performing comparable work to what the H-1B worker will be doing, and with similar experience and qualifications.
- If there are no others with the same title in the hiring unit/department, compare the H-1B worker's position with other positions having similar duties.
- It may be necessary to obtain comparative information from other units within your college; the department or college human resource officer should be able to provide or obtain this information.
- The rationale for arriving at the salary for each worker should be clear—total experience, qualifications, education, job responsibilities and functions, and other legitimate factors may be considered.
- Limited grant or departmental funding is NOT a legitimate regulatory reason for paying an H-1B worker less.

Name of this **H-1B employee** \_\_\_\_\_ Position Title \_\_\_\_\_

Degree required for the position \_\_\_\_\_ Years of work experience since acquiring the degree \_\_\_\_\_

Total annual salary \_\_\_\_\_ Based on hours/week \_\_\_\_\_

Please list other employees holding similar positions:

1) CSU ID of other employee \_\_\_\_\_ Position Title \_\_\_\_\_

Degree required for the position \_\_\_\_\_ Years of work experience since acquiring the degree \_\_\_\_\_

Total annual salary \_\_\_\_\_ Based on hours/week \_\_\_\_\_

2) CSU ID of other employee \_\_\_\_\_ Position Title \_\_\_\_\_

Degree required for the position \_\_\_\_\_ Years of work experience since acquiring the degree \_\_\_\_\_

Total annual salary \_\_\_\_\_ Based on hours/week \_\_\_\_\_

3) CSU ID of other employee \_\_\_\_\_ Position Title \_\_\_\_\_

Degree required for the position \_\_\_\_\_ Years of work experience since acquiring the degree \_\_\_\_\_

Total annual salary \_\_\_\_\_ Based on hours/week \_\_\_\_\_

4) CSU ID of other employee \_\_\_\_\_ Position Title \_\_\_\_\_

Degree required for the position \_\_\_\_\_ Years of work experience since acquiring the degree \_\_\_\_\_

Total annual salary \_\_\_\_\_ Based on hours/week \_\_\_\_\_

5) CSU ID of other employee \_\_\_\_\_ Position Title \_\_\_\_\_

Degree required for the position \_\_\_\_\_ Years of work experience since acquiring the degree \_\_\_\_\_

Total annual salary \_\_\_\_\_ Based on hours/week \_\_\_\_\_

6) CSU ID of other employee \_\_\_\_\_ Position Title \_\_\_\_\_

Degree required for the position \_\_\_\_\_ Years of work experience since acquiring the degree \_\_\_\_\_

Total annual salary \_\_\_\_\_ Based on hours/week \_\_\_\_\_

7) CSU ID of other employee \_\_\_\_\_ Position Title \_\_\_\_\_

Degree required for the position \_\_\_\_\_ Years of work experience since acquiring the degree \_\_\_\_\_

Total annual salary \_\_\_\_\_ Based on hours/week \_\_\_\_\_

An explanation is required if the H-1B worker will be paid less than any other similarly employed worker:

Department Representative: \_\_\_\_\_

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



# H-1B DEPARTMENTAL GUIDELINES

(To be completed by the hiring department)

In order to sponsor an employee for H-1B nonimmigrant worker status, the CSU hiring Department agrees to the following guidelines and governmental regulations:

- (1) The Department will post a Labor Condition Application (LCA) notice for 10 business days in two conspicuous locations at the intended place of employment;
- (2) The Department agrees to the terms of the LCA for the duration of the alien's authorized period of stay for H-1B employment and will pay the H-1B employee the amount listed on the certified LCA, which must be 100% of the prevailing wage for the position or the actual wage, whichever is higher, throughout the authorized period of H-1B employment;
- (3) The Department must continue to pay the required wage at 100% full-time employment, per item (2), even during nonproductive time that is due to a decision by the Department (e.g., lack of assigned work, training periods, etc.), within the authorized period of H-1B employment;
- (4) The Department must inform International Student & Scholar Services (ISSS) of any elective employee Leaves of Absence prior to each Leave to ensure compliance with immigration regulations;
- (5) The Department agrees to offer the employee benefits and eligibility for benefits on the same basis as U.S. workers;
- (6) The Department agrees to provide working conditions for the employee that will not adversely affect the working conditions of workers similarly employed, and which are afforded to similarly employed U.S. workers;
- (7) The Department will accept liability for the reasonable costs of return transportation of the employee abroad if the employee is dismissed from employment by the department (for any reason) before the end of the period of authorized H-1B stay (this normally constitutes the cost of a plane ticket);
- (8) The Department will notify ISSS in writing (email is acceptable) when the employee ends employment with the department;
- (9) The Department will initiate paperwork to request an extension of the H-1B employee's authorized period of employment, should an extension be necessary, at least seven months before the current authorized period of H-1B employment ends;
- (10) **For tenure-track faculty positions**, the Department will initiate the permanent residency process for the employee within one year of the date of the faculty letter of offer; and,
- (11) The Department will contact ISSS to initiate an amendment to the H-1B petition if there is a substantive change in the terms of the foreign national's employment, including but not limited to: a change in location of employment; a salary reduction; or a change in position title or responsibilities;
- (12) With respect to the technology or technical data the Department will release or otherwise provide access to the beneficiary, **the Department certifies compliance with all U.S. export control regulations.**
- (13) I recognize the authority of USCIS to conduct audits of this petition. I also recognize that supporting evidence submitted may be verified by USCIS through any means determined appropriate by USCIS, including but not limited to, on-site compliance reviews. The Department will cooperate with inspections by providing any information deemed necessary to confirm ongoing employment, which may include copies of payroll records.

I agree to sponsor \_\_\_\_\_ for H-1B nonimmigrant worker status and to honor  
*name of foreign national*

the statements listed above.

\_\_\_\_\_  
Name of Department Head Signature Date

# EXPORT COMPLIANCE QUESTIONNAIRE

(To be completed by the hiring department)

Please complete this form to expedite the CSU export review process and ensure compliance with Part 6 of the I-129 Petition for Nonimmigrant Worker Form, "Certification Regarding the Release of Controlled Technology or Technical Data to Foreign Persons in the United States." Attached are instructions and definitions to help complete this form. This form **must** be completed before the H-1B or O-1 petition can be filed.

If you have any questions, or need assistance in the completion of this form, please contact Scot Allen, Export Control Administrator, at 970-491-1563 or [scot.allen@colostate.edu](mailto:scot.allen@colostate.edu).

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

Information about current/proposed employee:

Full Name: \_\_\_\_\_ Country of Citizenship: \_\_\_\_\_

Non-immigrant status being sought: H-1B  O-1

CSU Department (where employee will be working): \_\_\_\_\_

Employee's CSU Supervisor: \_\_\_\_\_

Departmental contact if other than Supervisor: \_\_\_\_\_

**Part 1:** Please answer each question completely to the best of your knowledge at this point in time:

1. Most recent university or institution outside the US: \_\_\_\_\_

2. The applicant will participate in:

- Sponsored research
  - o Sponsor(s) name: \_\_\_\_\_
- Non-funded research (includes internal funding from CSU)
- Research related activities (data analysis, lab assistant, technician, etc.)
- No exposure to research, the transfer of technical data or technology, or laboratory related duties

3. Describe the duties or research that the applicant will perform:

4. Is the applicant a citizen of, or ever been a citizen of, Cuba, North Korea, Iran, Syria, Sudan, or China? No  Yes

5. For those applicants not only participating in “fundamental research in science and engineering where the results are or will be published broadly among the scientific community” please check all items below, if any, that apply:

(\*keyword definitions linked below)

- Research under an existing [Technology Control Plan](#) (TCP)\*
- Publication preapproval or publication restrictions by sponsor
- Restrictions and/or pre-approval of foreign national participation by sponsor
- Access to and/or creation of [encryption items](#),\* software or encryption technology
- Access to and/or creation of [ITAR](#)\* export-controlled items, [technical data](#), software, or technology
- Access to and/or creation of potential [defense articles](#)\* or [defense services](#)\*
- Access to and/or creation of [EAR](#)\* export-controlled items, [technical data](#), software, or technology
- [Export](#)\* of any physical item, or transmission of technical data,\* to a foreign country or person

6. Additional Information or Comments:

To the best of my knowledge as of this date, I attest that the information provided is true and accurate.

Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Person completing form if other than supervisor (name, title and email):

---

---

Please return pages 10-11 to International Student & Scholar Services or directly to:  
Scot Allen, Export Control Administrator  
Campus Delivery 2011 or [scot.allen@colostate.edu](mailto:scot.allen@colostate.edu).

## Instructions & Definitions for Completing the Export Compliance Questionnaire

### **Instructions:**

Form should only be completed by applicant's direct supervisor, or a person with intimate knowledge of the work that will be performed by the applicant. Signature indicates responsible party of applicant's work.

Please do not leave any blanks. If a question does not apply, indicate "N/A." If a question will apply in the future, but the details are unknown at the present time, indicate "TBD."

**Question #1:** If you expect the applicant to work on a sponsored project now or in the future, but the sponsor is unknown at the present time, write TBD on the sponsor line.

**Question #2:** Please describe the topic and purpose of the research and the associate duties of the applicant.

**Question #3:** If citizenship is unknown, contact the Office of International Programs for assistance.

**Question #4:** Definitions of key terms used are below.

**Question #5:** If needed, provide further explanation about any answer that you gave, or additional information that may be helpful in the review process.

### **Key Terms Definitions:**

**ITAR:** International Traffic in Arms Regulations control items, services, and technical data that have a *military* or *space-related* application. ([back to question](#))

**EAR:** Export Administration Regulations control dual-use items and technology. Dual-use items are non-military in purpose, but could be modified or utilized for military purposes. While this term is used informally to describe items that are subject to the EAR, purely commercial items are also subject to the EAR. ([back to question](#))

**Export:** Under the ITAR *Export* means:

- 1 Sending or taking a defense article out of the United States in any manner, except by mere travel outside of the United States by a person whose personal knowledge includes technical data; or
- 2 Transferring registration, control or ownership to a foreign person of any aircraft, vessel, or satellite technology covered by the U.S. Munitions List, whether in the United States or abroad; or
- 3 Disclosing (including oral or visual disclosure) or transferring in the United States any defense article to any agency or subdivision of a foreign government; or
- 4 Disclosing (including oral or visual disclosure) or transferring technical data to a foreign person, whether in the United States or abroad; or
- 5 Performing a defense service on behalf of, or for the benefit of, a foreign person, whether in the United States or abroad.

Under the EAR *Export* means:

- 1 An actual shipment or transmission of items out of the United States.
- 2 Furnishing technical data allowing an individual to develop or produce controlled technology.
- 3 Furnishing technical data which allows an individual to do **all** of the following: operate, install, maintain, repair, overhaul, and refurbish a controlled piece of equipment.

([back to question](#))

**Defense Article: (ITAR):** Any item or technical data recorded or stored in any physical form, models, mock-ups or other items that reveal technical data directly relating to any item on the United States Munitions List (USML) ITAR Part 121. ([back to question](#))

### Defense Service (ITAR):

- 1 The furnishing of assistance (including training) to foreign persons, whether in the United States or abroad in the design, development, engineering, manufacturing, production, assembly, testing, repair, maintenance, modification, operation, destruction, **or** processing of defense articles.
- 2 The furnishing to foreign persons of any ITAR-controlled technical data, whether in the United States or abroad.
- 3 Military training of foreign units and forces, regular and irregular, including formal or informal instruction of foreign persons in the United States or abroad, or by correspondence courses, technical, educational, or information publications and media of all kinds, training aids, orientation, training exercise, and military advice.

[\(back to question\)](#)

Encryption Items (EAR): The phrase encryption items include all encryption commodities, software, and technology that contain encryption features and are subject to the EAR. This does not include encryption items specifically designed, configured, adapted or modified for military applications (including command, control and intelligence applications), which are controlled by the Department of State on the U.S. Munitions List, under the ITAR. [\(back to question\)](#)

Technical Assistance (EAR): May take forms such as instruction, skills training, working knowledge, consulting services. “Technical assistance” may involve transfer of “technical data.”

### Technical Data:

As defined in the ITAR:

- 1 Information other than software, which is required for the design, development, engineering, manufacturing, production, assembly, testing, repair, maintenance, modification, operation, destruction, or processing of defense articles. This includes information in the form of blueprints, drawings, photographs, plans, instructions and documentation.
- 2 Information covered by an invention secrecy order.
- 3 Classified information relating to defense articles.
- 4 Software directly related to defense articles.
- 5 This definition does not include information concerning general scientific, mathematical or engineering principles commonly taught in schools, colleges, and universities.

As defined in the EAR:

Blueprints, plans, diagrams, models, formulate, tables engineering designs and specifications, manuals and instructions written or recorded on other media or devices such as disk, tape, read-only memories.

[\(back to question\)](#)

Technology (EAR): Specific information necessary for the development, production, or use of a product.

Technology Control Plan (TCP): A Technology Control Plan (TCP) is a compliance document developed between the Principal Investigator and the Export Control Administrator. The TCP states the type of export-controlled information associated with a research project, and the measures and safeguards to be taken by the PI to ensure access to the export-controlled information is managed.

A TCP is required when:

A research project involves the receipt of export-controlled information from an outside party, such as via a nondisclosure agreement or sponsored research agreement. Such a research project is not considered fundamental research and the research results may contain export-controlled information. A project that is unpublished, restricted, proprietary, or classified is not fundamental research. [\(back to question\)](#)

# INFORMATION SHEET FOR THE EMPLOYEE (To be completed by the employee)

Family Name \_\_\_\_\_ Given (first) \_\_\_\_\_ Middle \_\_\_\_\_

All other names used (include maiden name and names from all previous marriages):  
\_\_\_\_\_

Date of Birth (month/day/year) \_\_\_\_\_  Male  Female

Country of Birth \_\_\_\_\_ Province of Birth \_\_\_\_\_ Country of Citizenship \_\_\_\_\_

Country of Permanent Residence (may differ from Country of Citizenship) \_\_\_\_\_

Passport Number \_\_\_\_\_ Date Passport Issued \_\_\_\_\_ Date Passport Expires \_\_\_\_\_

CSU Employee ID Number (if available) \_\_\_\_\_ Driver's License Expiration Date \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

If already in the US and changing to or extending H-1B status with US Citizenship and Immigration Services:

Current US Address (including zip code) \_\_\_\_\_

Current Nonimmigrant Status: \_\_\_\_\_ I-94 number \_\_\_\_\_

Status Expiration Date (month/day/year) \_\_\_\_\_ Is I-94 is marked "D/S"?  Yes  No

Most Recent Date of Arrival in US (month/day/year) \_\_\_\_\_

If in J-1 or J-2 status, have you or your spouse applied for a waiver?  Yes  No

If YES, has Dept. of State recommended the waiver?  Yes  No

If YES, do you have the final approval notice for the waiver from U.S. Citizenship and Immigration Services?  Yes  No

Are you or any of your dependents in removal (deportation) proceedings?  Yes  No

Have you ever previously been in H-1B status?  Yes  No

Have you ever been denied H-1B status?  Yes  No

Have you begun the process to obtain permanent residence?  Yes  No

If YES, was a labor certification application submitted?  Yes, currently pending.  Yes, labor certification approved.  No

Was an I-140 petition submitted?  Yes, currently pending.  Yes, I-140 approved.  No

Do you have a pending I-485 application to adjust status to permanent resident?  Yes  No

Please indicate ALL international TRAVEL plans for the next six months, including dates of travel:  
\_\_\_\_\_

# INFORMATION SHEET FOR THE EMPLOYEE (To be completed by the employee)

**If waiting outside US for H-1B petition approval, indicate city and country of consulate (Canadians indicate Port of Entry) at which you will apply for the visa:**

**Address in Home Country (for mailing the H-1B approval notice):**

**Telephone in Home Country:** \_\_\_\_\_

**LIST CURRENT AND PREVIOUS STAYS IN THE US AND THE STATUS HELD (F-1/J-1/H-1B, ETC.—EXCLUDE PRIOR B-1/B-2 VISITS). You do not need to list every trip abroad while maintaining a particular status. For example, an individual in the U.S. in F-1 status between 08/15/2012 and 05/15/2017 need not list every brief trip outside the U.S. between those dates.**

	DATES OF STAY		PLACE AND PURPOSE OF STAY	STATUS HELD
	MM/DD/YYYY	MM/DD/YYYY		
1.	_____	to _____		
2.	_____	to _____		
3.	_____	to _____		
4.	_____	to _____		
5.	_____	to _____		
6.	_____	to _____		
7.	_____	to _____		

(Continue on a separate sheet, if necessary)

**FAMILY MEMBERS ACCOMPANYING YOU:**

	LAST NAME	FIRST NAME	AGE	RELATIONSHIP TO YOU	CURRENT IMMIGRATION STATUS (IF IN US)	WILL THIS PERSON BE AN H-4 DEPENDENT?
1.						CHECK ONE: <input type="checkbox"/> YES <input type="checkbox"/> NO
2.						<input type="checkbox"/> YES <input type="checkbox"/> NO
3.						<input type="checkbox"/> YES <input type="checkbox"/> NO
4.						<input type="checkbox"/> YES <input type="checkbox"/> NO
5.						<input type="checkbox"/> YES <input type="checkbox"/> NO

(Continue on a separate sheet, if necessary)

## DOCUMENTS REQUIRED FROM THE EMPLOYEE

Congratulations on your offer of employment (or reappointment) at Colorado State University (CSU). The Office of International Student & Scholar Services (ISSS) will work in conjunction with your hiring department to secure H-1B temporary worker classification for you (or to extend your current H-1B status). Please return the form entitled "H-1B Information Sheet for the Employee pp.14-15 along with the documents listed below to your CSU departmental contact person.

The H-1B process always involves coordination with at least two government agencies: the U.S. Department of Labor and U.S. Citizenship and Immigration Services (USCIS). CSU has no control over processing times or their variance at these government agencies and cannot make any guarantees regarding processing times. International travel during the petition process can create complications. If travel is necessary, please communicate your travel plans to ISSS as soon as possible.

If you are already in the U.S., please be sure to keep your current immigration status valid during the H-1B process. If you are waiting outside the U.S., please do not make any travel plans to come to the U.S. that cannot be changed.

### DOCUMENTS CHECKLIST

*Please provide clear copies or PDF scans of the following. No pictures made with your phone please.*

- Information Sheet for the Employee
- Copy of your most recent diploma and transcript, with a translation if not in English (a template translator attestation form is available at the end of these instructions).
  - Note: Your credentials must meet the requirements as set forth in the approved CSU position description and reiterated in the letter of support. This link must be clear or USCIS will likely issue a request for additional evidence delaying processing of the case
  - Note: If your degree is from an institution outside the United States, USCIS may request a credential evaluation to show that it is equivalent to a U.S. degree. In order to avoid processing delays, you may contact a credential evaluation company to request an evaluation. If you provide an evaluation report to ISSS, it will be included with the H-1B petition. A list of credential evaluation companies is included within this packet.
- Copy of your curriculum vitae
- Copy of your passport pages showing picture, expiration date, and biographic information
- If **ever in J-1 status**, a copy of *each* Form DS-2019 issued. Copies of J-1 visa stamps are also helpful. If you were subject to the two-year home residency requirement, also include a waiver approval notice from USCIS or the letter recommending the waiver from the US Department of State.
- If **ever in H-1B status**, a copy of all previous H-1B approval notices (Form I-797).

#### **FOREIGN NATIONALS IN THE UNITED STATES, ADD:**

- Copy of your I-94 information (either a white I-94 card stapled in your passport or I-94 information page printed from the cbp.gov website). If copying an I-94 card from your passport, please copy both sides of the card.
- Current immigration status documents, as follows:
  - **If presently in F-1 status**, a copy of your most recent Form I-20, and a copy of your employment authorization document (EAD) if on optional practical training (OPT)
  - **If presently in J-1 Status**, a copy of *each* Form DS-2019 issued. Copies of J-1 visa stamps are also helpful. If you were subject to the two-year home residency requirement, also include a waiver approval notice from USCIS or the letter recommending the waiver from the US Department of State.
  - **If presently in H-1B Status**, a copy of *each* Form I-797 approval notice issued. Copies of H-1B visa stamps are also helpful. If currently employed in H-1B status, please include copies of your pay statements for the last three months. You must maintain employment with your current H-1B employer until the CSU H-1B petition start date.
  - **If presently in a dependent status**, (H-4, J-2, F-2), a copy of your spouse's Form I-94 and I-20s, DS-2019s, or I-797s, and any J-2 work authorization cards.

#### **FOR POSITIONS REQUIRING STATE LICENSURE, ADD:**

- Copy of the license or other authorization required by the state to practice your profession.

#### **FOR INDIVIDUALS ACTIVELY PURSUING U.S. PERMANENT RESIDENCE**

- Copies of receipt and/or approval notices for labor certification, the I-140 Immigrant Petition for Alien Worker, and the I-485 Application to Register Permanent Residence or to Adjust Status for each family member.



**FOR FAMILY MEMBERS (DEPENDENTS ALREADY IN THE U.S. ONLY), ADD:**

Form I-539 (Application to Extend/Change Nonimmigrant Status) completed and signed by the primary dependent. Every co-applicant of the primary applicant must complete, sign and submit the supplement form I-539A. Forms and instructions are downloadable from [www.uscis.gov](http://www.uscis.gov). Form I-539 and Form I-539A (as applicable) are for family members currently inside the US who wish to change to or extend H-4 dependent status at the same time your H-1B petition is filed with USCIS. The receipt and approval notices for Form I-539 and Form I-539A will be sent to the employee's/dependent's home address as indicated in Part 1 of Form I-539. USCIS will NOT allow the US Post Office to forward USCIS mail to an address not provided on the I-539, regardless of whether a forwarding address is on file at the Post Office. Such mail will be returned to USCIS by the Post Office. Thus, it is crucial to provide USCIS with a reliable mailing address on the I-539. The address provided on the I-539 must remain accurate until USCIS issues the final approval for the change or extension of status.

**TIPS FOR COMPLETING FORM I-539:**

Part 1. - The first dependent family member, usually the spouse of the H-1B worker, should enter his or her name in Part 1 of Form I-539, not the name of the H-1B employee. All other dependent family members should complete their own Form I-539A. Only unmarried children under age 21 may be included as dependents.

Part 2. - Mark (2.) if extending, or (3.a.) if changing status. The effective date should agree with the start date of the H-1B. If requesting a change of status, the requested status in (3.c.) should be 'H-4.'

Part 3. - Indicate the ending date of the H-1B petition in (1.).

Part 4. - Item (14.) requires a written response from the applicant whether the answer to the question is "yes" or "no." Space is provided in Part 8 on page 7 of the I-539.

Part 4. - Item (15.) requires a written response from the applicant if the answer to the question is "yes." Space is provided in Part 8 on page 7 of the I-539.

Part 5 - This must be signed by the applicant listed in Part 1 unless the applicant is a minor child (under 14 years of age), in which case the H-1B parent may sign.

Provide a copy of Form I-94 for each dependent family member.

If currently in H-4 status, provide a copy of all previous H-4 approval notices from USCIS, if any.

For individuals that have held J-1 or J-2 status, provide copies of all DS-2019 forms and J-2 work authorization cards, if any.

You may also provide copies of J-1 or J-2 visa stamps as evidence of time in J status.

Include one check or money order for \$370 made payable to "U.S. Department of Homeland Security" to accompany the I-539. Each applicant and co-applicant must also submit an \$85 biometrics fee. Checks may be personal checks. The check must be drawn in U.S. dollars on a U.S. bank and must have the name of the U.S. bank printed on the check (not typed or handwritten). The applicant and every co-applicant will receive a biometrics appointment notice in the mail.

**Template for Translator Attestation**

*Please feel free to use this template when drafting a translator attestation for a translated document.*

I, \_\_\_\_\_ (typed or printed name of translator) \_\_\_\_\_, certify that I am fluent (conversant) in English and \_\_\_\_\_ languages, and that the attached document is an accurate translation of the document entitled \_\_\_\_\_.

\_\_\_\_\_  
Signature of translator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed or printed name of translator

\_\_\_\_\_  
Address of translator

## **CREDENTIAL EVALUATORS**

Center for Applied Research, Evaluations, & Education, Inc.  
P.O. Box 20348  
Long Beach, CA 90801  
Phone: (714) 237-9272  
Fax: (714) 237-9279  
email: [eval\\_caree@yahoo.com](mailto:eval_caree@yahoo.com)  
<http://www.iescaree.com>

Global Credential Evaluators, Inc.  
P.O. Box 9203  
College Station, TX 77842-9203  
Phone: (512) 528-0908  
Fax: (512) 528-9293  
email: [gce@gceus.com](mailto:gce@gceus.com)  
<http://www.gceus.com> or  
<http://www.gcevaluators.com>

Educational Credential Evaluators, Inc.  
P.O. Box 514070  
Milwaukee, WI 53203-3470  
Phone: (414) 289-3400  
Fax: (414) 289-3411  
email: [eval@ece.org](mailto:eval@ece.org)  
<http://www.ece.org>

Foundation for International Services, Inc.  
14926 - 35th Avenue West  
Suite 210  
Lynnwood, Washington 98087  
Phone: (425) 248-2255  
Fax: (425) 248-2262  
email: [info@fis-web.com](mailto:info@fis-web.com)  
<http://www.fis-web.com>

Education Evaluators International, Inc.  
P.O. Box 5397  
Los Alamitos, CA 90720-5397  
Phone: (562) 431-2187  
Fax: (562) 493-5021  
email: [Gary@edupei.com](mailto:Gary@edupei.com)

Global Services Associates, Inc.  
2554 Lincoln Boulevard, # 445  
Marina del Rey, CA 90291  
Phone: (310) 828-5709  
Fax: (310) 828-5709  
email: [info@globaleval.org](mailto:info@globaleval.org)  
<http://www.globaleval.org>

Education International, Inc.  
29 Denton Road  
Wellesley, MA 02482  
Phone: (781) 235-7425  
Fax: (781) 235-6831  
email: [edint@gjs.net](mailto:edint@gjs.net)  
<http://www.educationinternational.org>

International Consultants of Delaware, Inc.  
625 Barksdale Road, Suite 109  
Newark, DE 19711-3258  
Phone: (302) 737-8715  
email: [icd@icdel.com](mailto:icd@icdel.com)  
<http://icdel.com>

Educational Perspectives, nfp.  
P.O. Box 618056  
Chicago, IL 60661-8056  
Phone: (312) 421-9300  
email: [info@educational-perspectives.org](mailto:info@educational-perspectives.org)  
<http://www.educational-perspectives.org>

International Education Research  
Foundation, Inc.  
P.O. Box 3665  
Culver City, CA 90231-3665  
Phone: (310) 258-9451  
email: [information@ierf.org](mailto:information@ierf.org)  
<http://www.ierf.org>

Educational Records Evaluation Service, Inc.  
601 University Avenue, Suite 127  
Sacramento, CA 95825  
Phone: (916) 921-0790  
email: [edu@eres.com](mailto:edu@eres.com)  
<http://www.eres.com>

The Trustforte Corporation  
271 Madison Ave, Third Floor  
New York, New York 10016  
<http://trustfortecorp.com/>

Josef Silny & Associates, Inc.  
International Education Consultants  
7101 S.W. 102 Avenue  
Miami, FL 33173  
Phone: (305) 273-1616  
Fax: (305) 273-1338  
Fax: (305) 273-1984 (Translations)  
email: [info@jsilny.com](mailto:info@jsilny.com)  
<http://www.jsilny.com>

Evaluation Service, Inc.  
P.O. Box 85  
Hopewell Jct., NY 12533  
Phone: (845) 223-6455  
Fax: (845) 223-6454  
email: [esi2@frontiernet.net](mailto:esi2@frontiernet.net)  
<http://www.evaluationservice.net>

SpanTran Educational Services, Inc.  
7211 Regency Square Blvd., Suite 205  
Houston, TX 77036-3197  
Phone: (713) 266-8805  
Fax: (713) 789-6022  
email: [info@spantran-edu.org](mailto:info@spantran-edu.org)  
<http://www.spantran-edu.org>

Foreign Academic Credential Service, Inc.  
P.O. Box 400  
Glen Carbon, IL 62034  
Phone: (618) 656-5291  
Fax: (618) 656-5292  
<http://www.facsusa.com>

World Education Services, Inc.  
P.O. Box 5087  
Bowling Green Station  
New York, NY 10274-5087  
Phone: (212) 966-6311  
Fax: (212) 739-6100  
email: [info@wes.org](mailto:info@wes.org)  
<http://www.wes.org>

The Foreign Educational Document Service  
P.O. Box 4091  
Stockton, CA 95204  
Phone: (209) 948-6589