

INTERNATIONAL FACULTY & SCHOLARS

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APPROVAL NOTICE MEMORANDUM FOR H-1B

TO: H-1B BENEFICIARY
FROM: UA GLOBAL, INTERNATIONAL FACULTY & SCHOLARS
SUBJECT: H-1B APPROVAL NOTICE
CC: SPONSORING DEPARTMENT

We are pleased to inform you that the H-1B petition submitted on your behalf, the Beneficiary, by The University of Arizona, the Petitioner, has been approved. The dates of authorized employment are specified on the I-797 H-1B Approval Notice. Once eForm, “H-1B Status Acknowledgment”, has been completed, you will be provided with a scanned copy of the I-797 Approval Notice.

We would like to take this opportunity to provide you with the following reminders:

1. The enclosed H-1B Approval is employer specific. You can only work for your sponsoring department at The University of Arizona. If any material changes are anticipated or occur to your job duties, salary and/or responsibilities, you **must** contact IFS immediately. Material changes may require that a new LCA be filed and certified and an amended I-129 petition be filed with USCIS. Example of material changes include, but are not limited to:
 - New job duties that were not identified on the original I-129 petition or supporting LCA;
 - A Change in salary, normally a change of 10% or more;
 - Transfer to a different department/employer within The University of Arizona; and/or
 - Change in location not listed on the I-129 petition or supporting LCA (i.e.: sabbatical leave).
2. A Beneficiary of an approved H-1B petition shall be admitted to the United States for the validity period of the approved petition. You may be admitted to the United States up to 10 days before the validity period begins **and** up to 10 days after the validity period ends. However, the 10 days **after** the validity period ends is **not** automatic, and only exists if the immigration inspector has recorded it on your I-94. The Beneficiary may **not** work except during the validity period of the H-1B Approval Notice. *8 CFR 214.2(h)(13)(i)(A)*.
3. The validity of the H-1B petition ceases on the date of termination of employment, even if date of termination is before the date listed on the approval notice.
4. If an extension will be requested, at the expiration of the validity period, the sponsoring department, employer, **must initiate the process** no sooner than six (6) months and no later than forty-five (45) days before the expiration of the enclosed approval notice.

5. The I-797 H-1B Approval Notice alone is NOT a visa. The approval notice grants status, work authorization for a specific set of calendar dates. With this approved status, work authorization, you will need to apply for an H-1B visa at a United States Consulate abroad, if:

- You were present in the United States when you received this approval and you wish to travel outside of the United States and wish to reenter the United States after traveling, or
- You received your H-1B approval notice while you were outside of the United States and are entering the United States for the first time since receiving the approval notice.

There are certain limited exceptions to visa requirements. For example, Canadians and certain other limited groups do not require a visa stamp. It is your responsibility to confirm visa stamp requirements.

Additionally, a separate nonimmigrant visa application, Form DS-160, must be filled out for each member of a family, including infants, in H-4 status, even if more than one member of your family is included in your passport. Please see www.travel.state.gov for more detailed information.

Below is a checklist of required forms and documents for applying for a visa at a United States consulate. Please see www.travel.state.gov for the most current information and requirements for applying for a visa at a United States consulate.

Visa Application Checklist:

- | | |
|---|---|
| <input type="checkbox"/> I-797 Approval Notice | Original |
| <input type="checkbox"/> Copy of I-129 Petition | Contact IFS (1) week prior to travel. IFS will provide a scanned copy. |
| <input type="checkbox"/> DS-160 | Online Nonimmigrant Visa Application; https://ceac.state.gov/genniv/ |
| <input type="checkbox"/> I-612 Approval Notice | Original and one (1) copy, if ever filed for 212(e) waiver. |
| <input type="checkbox"/> Valid Passport | Validity through approved period plus six (6) months. |
| <input type="checkbox"/> Photo(s) – passport size | Not applicable at all consulates. Contact consulate. |
| <input type="checkbox"/> Recent Paystubs | Only if already employed in the United States. |
| <input type="checkbox"/> Visa Application Fee | Varies depending on nonimmigrant visa type. Contact Consulate. |

<https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/fees/fees-visa-services.html>

Visa Application Tips:

1. Approval of H-1B status **does not** guarantee issuance of a visa. Although you have been granted H-1B status, you could be denied a visa and therefore entry into the United States.
2. The consular officer will usually issue a visa valid for the dates listed on the I-797 Approval Notice.
3. If your visa stamp expires before the validity of your H-1B approval, you do not need to apply for a new visa unless you plan on traveling outside of the United States and reentering. Once you leave the United States, you are required to apply for a new visa stamp in order to reenter.
4. Most nationalities may apply for a visa in most countries which are not their country of citizenship. However, some nationalities may have an easier time applying for a visa in their home country. For more information, please go to www.travel.state.gov.
5. Most consulates are now requiring a personal interview before issuing a visa. Visa appointments must be requested in advance. You may have as long as one (1) month or more before your scheduled appointment. Therefore, you must preplan for this requirement before making any definite travel



plans. Information must be obtained directly from the consulate in the country where you will be applying. Please see <http://usembassy.state.gov> for the most up to date information.

6. Some foreign nationals may be subject to a Security Advisory Opinion (SAO), which may delay the issuance of your visa. Possible reasons for a SAO may include the field of study or work engaged in is listed on the Technology Alert List (TAL).
7. Administrative Processing –The consul may advise you that additional processing is necessary to determine your eligibility for a visa. Many factors can determine these additional checks. In some cases, we may require more information from you, the applicant. Most of these administrative processes are resolved within 60 days of the interview, but the time may vary depending on the individual circumstances of each case. If your case is in administrative processing, you can track the status at ceac.state.gov, the same site where you filled out the application form.

Due to changing requirements and variance among consulates, IFS is not able to compile and maintain up-to-date information on each consulate and individual nationality requirements. It is strongly recommended that you contact the appropriate agency and/or consulate before applying for your visa.