

UW VISA BASICS 2

PROCESS AND TOOLS

OCTOBER 19, 2022



UNIVERSITY *of* WASHINGTON

OFFICE OF ACADEMIC PERSONNEL

acadpers@uw.edu | <http://ap.washington.edu/>

AGENDA

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 - Before You Submit
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INTRODUCTION

WHAT IS A VISA REQUEST?

- A web form on the Office of Academic Personnel (OAP) website.
- The process by which a UW academic unit initiates UW visa sponsorship for an international scholar.
- The process by which OAP makes sure that visa sponsorship is (1) feasible and appropriate and (2) consistent with University employment policies.
- One part of the larger process of getting a visa.

VISA REQUEST PROCESSES (GENERALLY)

Pre-Request

- Unit gathers sponsorship information on the **Visa Intake Form** along with supporting documentation
- Unit discusses any uncertainties with ISO
- Unit then uses information from **Visa Intake Form** to submit **Visa Request Form** online

Visa Request

- ISO and AHR review* **Visa Request Form** and contact unit with any questions
- AHR then sends a PDF of the **approved Visa Request**

*Review may include gathering documents to confirm visa or appointment eligibility.

Post-Request

- Unit gathers any **additional supporting documentation**
- Units gets signatures on **approved Visa Request**
- Unit returns **approved Visa Request**, with supporting documentation, to ISO for further processing
- ISO initiates next steps with various government agencies

VISA INTAKE FORM



UNIVERSITY *of* WASHINGTON

OFFICE OF ACADEMIC PERSONNEL

Academic Human Resources

J-1 Visa Intake Form International Scholars Operations

PART I: To be completed by the international scholar being invited to the University of Washington (UW).

PART II: To be completed by the UW unit that is inviting the international scholar.

Part I gathers **biographic** and **funding** information from the scholar.

Part II gathers **appointment** information from the appointing unit.

For J-1s: <https://ap.washington.edu/j1-intake-2/>

For H-1Bs: <https://ap.washington.edu/h1b-visa-intake-form/>

WHO SHOULD SUBMIT A VISA REQUEST?

Only someone **in the chair's office or a central business unit** with basic knowledge of both visa and appointment issues **should** submit a visa request, even if anyone with an employee UW NetID **can**.

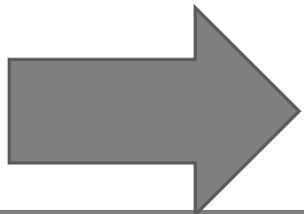
Who **should not** submit:

- ❖ The international scholar
- ❖ The faculty sponsor
- ❖ An outside third party

VISA REQUEST FORM

Sections:

- Purpose of Form
- Section One - **Biographic Information**
- Section Two - **Dependents**
- Section Three - **Appointment Information**
- Section Four - **Funding Information**
- Section Five - **Sponsoring Department/Program Information**



Did you know? The visa request tool (Lux) lets you **save draft visa requests** (without attachments) **for up to 30 days.**

WHO LOOKS AT A VISA REQUEST?

1. ISO advisors review for **visa issues**
2. Academic HR specialists review for **appointment issues**
3. Export Control in the Office of Research reviews for **deemed export issues**
(country of origin, grant funding, controlled technology)

**This is why you will get emails from different people
within OAP about the same visa request!**

VISA REQUEST PACKET

Once review is complete, AHR will email you a PDF of the approved visa request.

The approved visa request must be routed for signatures and sent back to ISO along with the relevant supporting documentation from the checklist.

Send the entire packet back to ISO by:

- Campus mail to Box 351245
- Dropping off in our dropbox outside the Gerberding 240 suite
- Email, as a single PDF, in reply to the conditional approval email
- Upload, as a single PDF, to the visa request “Manage Files” page in Lux

THINGS TO REMEMBER

→ **A visa request is not the end product.**

ISO must process further before the visa is in place.

→ **A visa request requires supporting documents.**

Checklists of supporting documents for each visa type are on our website.

→ **A visa request is not your only way to get answers.**

ISO advisors will happily discuss visa eligibility and sponsorship procedures with you, with or without a visa request.

J VISA REQUESTS

BEFORE YOU SUBMIT A J VISA REQUEST

You should have collected the following:

- Offer or reappointment letter
- Biographic page(s) of passport(s)
- Documentation of [funding](#)
- Documentation of [English proficiency](#)
- Information for the visa request, usually on the [J-1 Visa Intake Form](#)

WHAT DO WE REVIEW J VISA REQUESTS FOR?

ISO advisor reviews for:

- Is the **start date** achievable?
- Does the **funding** meet our [J-1 funding minimums](#)?
- Is the person **eligible for J-1 status** through the requested end date?
- Are the [cultural exchange](#) plans sufficient?

AHR specialist reviews for:

- Is the person **eligible for the title** through the requested end date?
- Does the funding meet the [salary minimum](#)?

J-1 SUPPORTING DOCUMENTS

ISO requires supporting documentation with each signed J Visa Request, including but not limited to:

- Copies of biographic pages for J-1 and all J-2 dependents
- The offer or reappointment letter
- Funding documentation
- Documentation of English proficiency
- [Patient care letter](#) for foreign medical graduates

ISO can only issue the DS-2019 once we have all supporting documentation.



See our
[J-1 Checklist](#)

DS-2019 Certificate of Eligibility

ISO sends Form DS-2019 "Certificate of Eligibility for Exchange Visitor Status" to host department

Department mails DS-2019 to exchange visitor

Exchange visitor uses DS-2019 to apply for J visa at consulate and to enter U.S.

1. Surname/Primary Name:		Given Name	Gender:	DOB	Country of Birth	Citizenship Country Code	Citizenship Country:	NOI Number
Doe		John	MALE	11-11-1990	Shanghai	CHINA	CH	NO0000000
Date of Birth (mm/dd/yyyy)		City of Birth:	Country of Birth:	Citizenship Country Code	Citizenship Country:			
11-11-1990		Shanghai	CHINA	CH	CHINA			
Legal Permanent Residence Country Code:		Legal Permanent Residence Country:		Passport Code:	Passport:			
CH		CHINA		213	UNIVERSITY TEACHING STAFF INCLUDING R			
Primary Site of Activity:		Physics & Astronomy Bldg 3910 15th Ave NE Seattle, WA 98195						
2. Program Sponsor:		University of Washington		Program Number: P-1-00168				
Participating Program Official Description: PROFESSOR; RESEARCH SCHOLAR; SHORT-TERM SCHOLAR; SPECIALIST; STUDENT ASSOCIATE; STUDENT BACHELORS; STUDENT DOCTORATE; STUDENT INTERN; STUDENT MASTERS; STUDENT NON-DEGREE								
Purpose of this form: Begin new program; accompanied by number (1) of immediate family members.								
3. Form Covers Period:		4. Exchange Visitor Category:						
From (mm/dd/yyyy) 01-21-2019		RESEARCH SCHOLAR						
To (mm/dd/yyyy) 01-20-2020		Subject Field Code:	Subject Field Code Remarks:					
		40.0801	Dept. of Physics; Research, Observation, Consultation with colleagues					
5. During the period covered by this form, the total estimated financial support (\$) (U.S.) to be provided to the exchange visitor by: Jiangnan University; China Scholarship Council : \$39,800.00 Total : \$39,800.00								
6. RESPONSIBLE OFFICER OR ALTERNATE RESPONSIBLE OFFICER		7. Susan Larrance		Alternate Responsible Officer:			Title:	
ATTENTION: I am a sponsor to issuing this Form DS-2019, the Program Sponsor organization identified above, for which I serve as the Responsible Officer or Alternate Responsible Officer, has verified, in accordance with the requirements of 22 CFR 62.12(b), that each prospective exchange visitor: (1) is eligible and qualified for, and accepted into, the program in which he or she will participate; (2) possesses adequate financial resources to participate in and complete his or her exchange visitor program; and (3) possesses adequate financial resources to support an accompanying spouse and dependent, if any. I also state that upon printing and signing this form, I am physically present in the United States or in a U.S. territory. A certification copy of this form has been provided to the U.S. Department of State.		Name of Official Preparing Form: International Scholars Operations 239 Garberding Hall, Box 351245 Seattle WA 98195		Telephone Number: 206-685-9022			Date (mm/dd/yyyy): 07-11-2018	
Signature of Responsible Officer or Alternate Responsible Officer:		Address of Responsible Officer or Alternate Responsible Officer: <i>Susan Larrance</i>		Signature of Responsible Officer or Alternate Responsible Officer:		Date (mm/dd/yyyy):		
8. Statement of Responsible Officer for Relinquishing Sponsor (FOR TRANSFER OF PROGRAM) Effective (mm/dd/yyyy): Transfer of this exchange visitor from program number _____ governed by _____ in the program specified in item 2 is necessary and is in conformity with the objectives of the Mutual Educational and Cultural Exchange Act of 1960, as amended.								
PRELIMINARY ENDORSEMENT OF CONSULAR OR IMMIGRATION OFFICER REGARDING SECTION 212(d) OF THE IMMIGRATION AND NATIONALITY ACT AND PL 94-484, AS AMENDED (see item 4) of page 2)		TRAVEL VALIDATION BY RESPONSIBLE OFFICER (Maximum validation period is 1 year*)			*EXCEPT: Maximum validation period is up to 6 months for Short-term Scholars and 4 months for Camp Counselors and Summer Work/Travel.			
The Exchange Visitor in the above program: 1. <input type="checkbox"/> Not subject to the two-year residence requirement. 2. <input checked="" type="checkbox"/> Subject to two-year residence requirement based on: A. <input type="checkbox"/> Government financing under (ALL USAMV PARTNERSHIP G-3-0026 AND ALL ALIEN PHYSICIANS SPONSORED BY P-3-0010 ARE SUBJECT TO THE TWO-YEAR HOME RESIDENCE REQUIREMENT) B. <input type="checkbox"/> The Exchange Visitor Skills List under C. <input type="checkbox"/> PL 94-484 as amended		Date (mm/dd/yyyy): 1/20/2018			Signature of Responsible Officer or Alternate Responsible Officer: <i>Holley Schneider</i>			
Name: Joe A. Smith Vice Consul		Signature of Officer of Investigation Officer: <i>Joe A. Smith</i>		Date (mm/dd/yyyy): 9-1-18		Signature of Responsible Officer or Alternate Responsible Officer:		
THE U.S. DEPARTMENT OF STATE RESERVES THE RIGHT TO MAKE FINAL DETERMINATION REGARDING 212(d).								
EXCHANGE VISITOR CERTIFICATION: I have read and agree with the statement in item 2 on page 2 of this document.								
Signature of Applicant: John Doe		Place: Shanghai		Date (mm/dd/yyyy): 09-1-2018				

BEYOND INITIAL J VISA REQUESTS

A new J Visa Request, with appropriate supporting documentation, is needed to do the following:

- **Extend** the person's J-1 status
- **Change** the person's appointment **title**
- **Move** a J-1 already at UW to your department
- **Transfer** a J-1 already at another program sponsor to UW

You should also use Lux to

- **Amend sponsorship dates** using the [J1 Amendment Form](#)
- **Add dependents** using the [Add J2 Dependent Form](#)

Ask us how much time we need, or just submit as early as you can!

H VISA REQUESTS

BEFORE YOU SUBMIT AN H VISA REQUEST

You should have collected the following:

- Offer or reappointment letter
- Information for the visa request, usually on the [H-1B Visa Intake Form](#)
- For non-CBA titles, a completed [Prevailing Wage Intake Form](#)

Units should wait to assemble supporting documents until after the visa request has been approved by OAP.

WHAT DO WE LOOK FOR IN H VISA REQUESTS?

ISO advisor reviews for:

- Does the person have **another status** they should exhaust first?
- Is the person **eligible for H-1B status** through the requested end date?
- Is the appointment **eligible for H-1B sponsorship**?
- Is the **salary** higher than the likely prevailing wage?
- Is the **start date** achievable?

AHR specialist reviews for:

- Is the person **eligible for the title** through the requested end date?
- Does the **salary** meet the salary minimum?

H SUPPORTING DOCUMENTS

ISO requires supporting documentation with each signed H Visa Request, including but not limited to:

- Wage documentation
- Documentation of the scholar's visa status
- Documentation of the scholar's credentials
- Filing fee checks

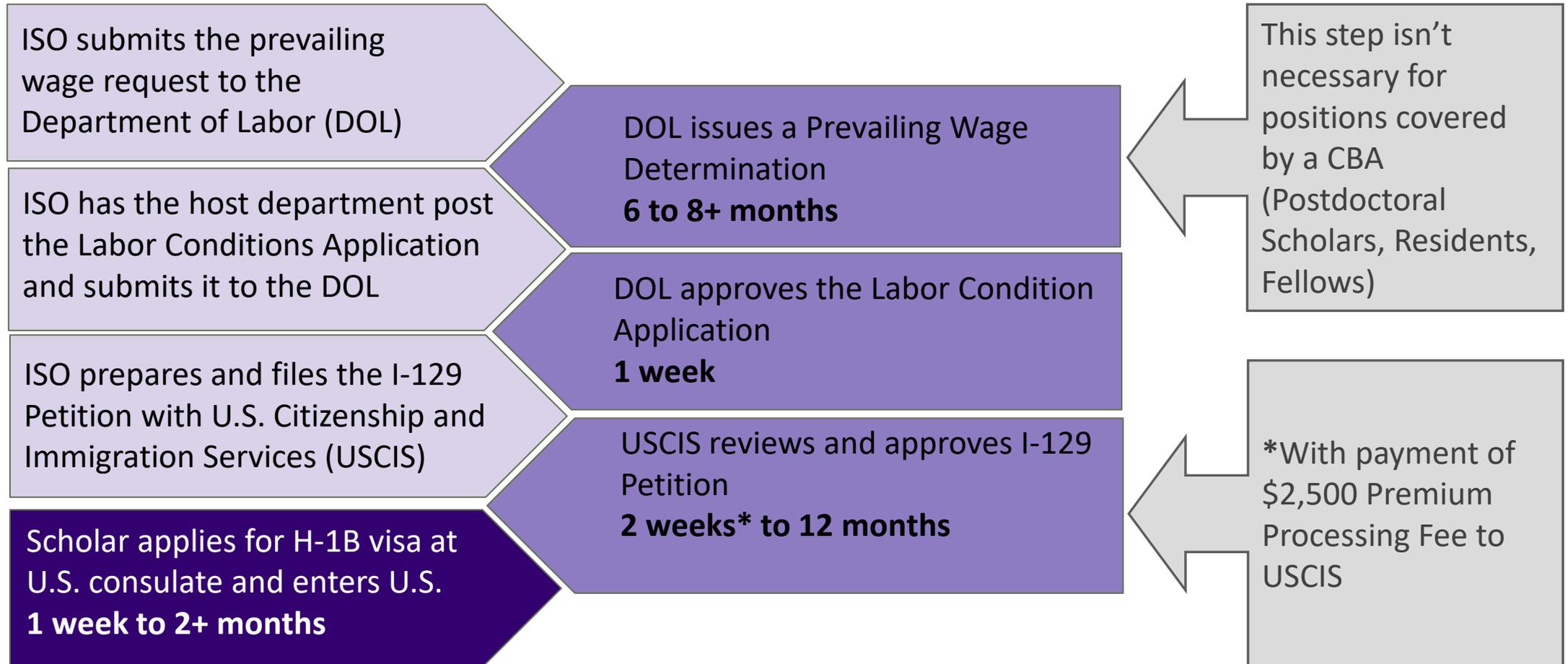


See our
[H-1B Checklist](#)

However, ISO can often initiate certain processes without having all documents on hand.

Feel free to ask us what we need right away and what can wait.

ADJUDICATION PROCESS



BEYOND INITIAL H VISA REQUESTS

You must submit a new H Visa Request, with supporting documentation, to do any of the following:

- **Extend** the person's H-1B status
- **Change** the person's appointment **title**
- **Move** an H-1B already at UW to your department
- **Transfer** an H-1B already in the U.S. to UW

Submit as early as you can but remember that these usually require at least **nine months** to process.

Q & A

- **Q:** How do we find out the prevailing wage determination from the Department of Labor?
- **A:** Advisors submit information about the position, including job duties and minimum qualifications, to DOL using Form ETA-9141; DOL then takes 6-9 months to issue a determination. However, ISO advisors can also make an educated guess at the wage that DOL will assign by comparing the position against DOL wage data; that helps us to try and spot possible wage issues well in advance.

TIPS FOR SUCCESS

REMEMBER THE DIFFERENCES

	J-1	H-1B
Lead time	At least two months	At least nine months
When to collect documents	Before submitting visa request	Once visa request is approved
Orientation	Must request remote check-in from ISO	No check-in required, but optional orientation available
Costs	No filing fees; no premium processing	Filing fees up to \$3,460; unit must pay fees

RESOURCES

How to Sponsor	<u>J-1</u>	<u>H-1B</u>
Process Handouts	<u>J-1</u>	<u>H-1B</u>
Intake Form	<u>J-1</u>	<u>H-1B</u>
Visa Request Form	<u>J-1</u>	<u>H-1B</u>
Checklist	<u>J-1</u>	<u>H-1B</u>
Scholar Resources	<u>J-1</u>	<u>H-1B</u>

[Department of State Visa Appointment Wait Times](#)

HOW TO DO LESS WORK ON J VISA REQUESTS

- Submit as soon as possible
(**at least three months in advance**)
- Gather all supporting documents before you submit
- Submit visa request with all required supporting documents as soon as possible
- Don't submit supporting documents that aren't required
- Send us a FedEx label **with the visa request packet** if you want us to ship the DS-2019 directly to the exchange visitor

HOW TO DO LESS WORK ON H VISA REQUESTS

- Submit as soon as possible
(**at least nine months in advance** WITH premium processing)
- Set realistic expectations with scholar and faculty
- Wait to request checks until instructed by advisor
- Pay \$2,500 USCIS premium processing fee, where possible
- Ensure information on visa request and supporting documents match

YOUR TIPS FROM THE BREAKOUT ROOMS

- You can ask ISO to initiate a prevailing wage request to the Department of Labor **before** you have even selected a candidate by sending a completed [prevailing wage intake form](#) (and copy of the published ad, if applicable) to acadvisa@uw.edu
 - **This can be a great tool for units who find that they hire a lot of foreign nationals**

Q & A

- **Q:** Why the 9-month processing time for H-1Bs?
- **A:** It's primarily the prevailing wage determination from the Department of Labor, which is routinely taking anywhere from 6-9 months. If the determination takes closer to 6 months, obviously we can do it in less than 9 months, but H-1B processing times are just hard to predict at this point because DOL processing times are ranging so widely.

THANK YOU!

<https://ap.washington.edu/ahr/visas/>

acadvisa@uw.edu