CHECKLIST
EXTEND H-1B STATUS BEYOND 6th YEAR
(Revised 07/01/2019)

Most extensions of H-1B status beyond 6 years can only be done in 1 year increments and only if the first step in the process toward permanent residence was taken while the Beneficiary still had 365 days of eligibility for H-1B status remaining. However, an H-1B employee with an approved I-140 can request an extension of up to 3 years beyond the 6th year, but only if there is no visa number available. An employer can also request an extension to recapture time the H-1B beneficiary spent out of the US while H-1B petitions were valid.

For ISSS to prepare an H-1B petition, the following steps are required in this exact order.

- **Step 1:** Initial Request for H-1B Petition
- **Step 2:** Department Request for H-1B Scholar: Department must complete this form.
- **Step 3:** Beneficiary Information Form: Department may complete this form OR the beneficiary of the H-1B.

Please see the procedures and documents needed for each step below:

**Step 1: Initial Request for H-1B Petition**

This electronic form must be fully completed by the appropriate appointing Department/ School/ College/ Center/ Institute. This form should not be completed by the employee or someone that does not have the proper approval. Contact the Human Resources professional in your office if you are not sure who the appropriate contact person is.

Before a department can move on to any specific request for an H-1B, ISSS requires that the department provide an initial request for H-1B petition. This first step allows ISSS to learn more about the position, and review any issues prior to the full request being received.

Copies of job descriptions will be reviewed during this step if they are acceptable for an H-1B petition. It is highly encouraged for a smooth and quick approval for departments to use the standard university format and clearly state all details of the position requirements.

### I. GATHER THE FOLLOWING INFORMATION

In order to complete this step/form you will need the following information:

- Copy of Job Description (in .doc, .docx format only)
- Department of Hire
- Position Title of Requested Position
- Position Job Code
- Expected/Planned Start Date
- Supervisor Information

IF a Beneficiary for the position has already been chosen the following information is also needed for the initial request:
II. COMPLETE INITIAL REQUEST FOR H-1B PETITION

Complete the following online form: Initial Request for H-1B Petition

III. ISSS REVIEWS SUBMISSION

After submission of the Initial Request for H-1B petition ISSS will meet as a committee and review all requests and approve, deny or request additional information for this initial request.

Once approval has occurred, ISSS will allow the department to move on to the next step in our process, and a specific case number and specialist are assigned to each case.

Step 2: Department Request for H-1B Scholar
(Cannot be complete until Step 1 has been approved)

In order to complete this form you will need to have
- Collected the required documents and information
- Created UCD Payment Voucher at CU Marketplace
- Entered and uploaded information about the H1B Beneficiary using the “Deemed and Hand Carried” module component of Visual Compliance

I. COLLECTING REQUIRED DOCUMENTS AND INFORMATION

Documents/Information from Hiring Department:
- Departmental Memo (Template)
- Letter of Offer, or Faculty Recommendation Form (School of Medicine)
- Actual Wage Memo (Template)
- Copy of Official Position Description (including minimum and/or preferred requirements), or copy of position as listed on Jobs at CU
- FedEx speed type for FedEx air bill to send petition to USCIS. If premium processing is used, ISSS will generate 2nd another FedEx air bill for USCIS to return approval notice to ISSS
- Filing fees
- Information regarding number of locations employee will be performing work duties (Name and Actual Physical Street Address)
 Responses to the following questions served as part of our evidence to USCIS to provide a stronger argument for the H-1B petition:
  • 2-3 sentence description and mission of Department/Division/Unit
  • 2-3 sentences that sum up the position and gives a concise overview of the position and the duties it will entail
  • How does the Beneficiary meet the prescribed minimum requirements for the position?

II. CREATING UCD PAYMENT AND VOUCHER AT CU MARKETPLACE
  • **Supplier:** Use the “Supplier Search” function and type in “U.S. Department of Homeland.” Select “California Service Center” from the list of options.
  • **Payee Type:** Non-Employee
  • **Warrant Delivery Code:** Select "Campus Mail" and type “A005/185” for CU Denver requests as campus mailbox and “MS F571” for CU Anschutz requests. The check will be sent directly to ISSS.
  • **Business Purpose:** Select “Immigration/Visa Fees” and include the H-1B Beneficiary’s name in the description.
  • **Amount:** Include the appropriate amounts from the chart below.

<table>
<thead>
<tr>
<th>Item</th>
<th>Fee Amounts</th>
</tr>
</thead>
<tbody>
<tr>
<td>H-1B (Form I-129 filing fee)</td>
<td>$460 (Must be a separate check or voucher)</td>
</tr>
<tr>
<td>H-1B (anti-fraud fee for initial petition, this means anyone new to the university or changing from another non-immigrant status)</td>
<td>$500 (Must be a separate check or voucher)</td>
</tr>
<tr>
<td>Premium processing (Form I-907, this optional fee guarantees H1B petition will be adjudicated within 15 calendar days of receipt by USCIS.)</td>
<td>$1,410 (Must be a separate check or voucher)</td>
</tr>
<tr>
<td>H-4 (Form I-539 filing fee) Only if dependents are in the U.S. and requesting change of status. May be paid using personal check or money order.</td>
<td>$370 (Must be a separate check or voucher)</td>
</tr>
</tbody>
</table>

  • **Commodity Code:** 13 - Professional Services and Training
  • **Account:** 552626
  • **Attach Form G-1055 (USCIS Filing Fees).** Download URL/Link from USCIS site (http://www.uscis.gov/files/form/g-1055.pdf)
  • **Invoice Number:** This is a unique identifier for your department’s tracking purposes. In the absence of a departmental system for invoices, the H-1B beneficiary’s last name or initials combined with “H1B” to identify the purpose of the invoice can be entered here. For example, “JonesH1B.”

III. ENTERING AND UPLOADING INFORMATION USING THE “DEEMED AND HAND CARRIED” MODULE COMPONENT OF VISUAL COMPLIANCE
  • More information on Export Controls and H-1B Petitions here
A step-by-step guide for completing a deemed export request [here](#).
- Individuals logging into the module for the first time are required to register with the system [here](#).
- A login instruction sheet for first-time users [here](#).

**IV. COMPLETE DEPARTMENT REQUEST FOR H-1B SCHOLAR**

Department will complete Department Request for H-1B Scholar using the link provided by ISSS.

**V. ISSS REVIEWS DEPARTMENT REQUEST FOR H-1B SCHOLAR**

After submission of the Department Request for H-1B Scholar ISSS the assigned specialist to the case will review the information submitted for its completeness. The specialist will approve, deny, or request additional information that was not included or incomplete on the request.

Incomplete requests will often be denied and resubmission will be required for denied requests.

Once approval has occurred, ISSS will allow the department to move on to the next step in our process.

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**Step 3: Completion of Beneficiary Information Form**

*(Cannot be complete until Step 2 has been approved)*

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**Beneficiary Information Form**

This form can be completed by Beneficiary **OR** Hiring Department on behalf of the Beneficiary.

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In order to complete this form you will need to have
- Collected the required documents and information for Beneficiary

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**I. COLLECTING REQUIRED DOCUMENTS AND INFORMATION**

**Documents/Information from H-1 Employee:**
- Copies of passport identity and validity page(s)
- Copies of all pages in current and previous passports with visa and entry/exit stamps, including passport page with initial date of entry to the U.S. in H-1B status
- One of the following as evidence of eligibility for extension beyond the 6th year: 1) Documentation verifying that first step of application for permanent residency was submitted sometime before the end of 5th year in H-1B status; or 2) I-140 approval notice; or 3) Evidence of time spent outside the US if recapturing time
- Copy of current I-94 record printed from [https://i94.cbp.dhs.gov/](https://i94.cbp.dhs.gov/)
- Copies of all current and previous H-1B approval notices (Forms I-797)
- Copies of three most recent pay advices
- If ever in J-1 or J-2 status,
  - List of all dates scholar spent in J-1 or J-2 status in U.S
  - Copies of all DS-2019/IAP-66 Forms
  - If subject to 212(e), evidence that scholar spent two years in home country after J time in US; or waiver approval notice
- Updated Curriculum Vitae or resume, including list of publications
- Copies of academic degrees, including diplomas, transcripts, English translations and foreign credential evaluations (if applicable)
- If involved in any patient care,
  - Colorado medical or dental license
  - Documentation of graduation from medical school in the US or a foreign state OR full and unrestricted license to practice medicine in a foreign state
  - Evidence of passage of Steps 1, 2, and 3 of the U.S. MLE. (Step 3 not required if Beneficiary completed med school in U.S.)
  - ECFMG Certificate (Canadian citizens exempt)
- Information regarding VISA Processing Post/Location of the U.S. Embassy or Consulate where the employee will apply for H-1B VISA. If Canadian, please provide Port of Entry location

**Documents/Information from H-4 Dependents:**
- Completed Form I-539 (fillable form available from USCIS website at [www.uscis.gov](http://www.uscis.gov))
  Please drop off the ORIGINAL COMPLETED I-539 at our office located at 1380 Lawrence Street (Lawrence Street Center), 9th Floor OR the ISSS satellite office at the Anschutz Medical Campus, Building 500, 8th Floor, Room C8000D
- Copies of dependents’ I-94s (both sides), passport identity pages and US visa and entry stamps
- Copy of marriage license, with English translation, to show relationship to H1B Beneficiary
- Copies of children’s birth certificates, with English translations, to show relationship to H1B Beneficiary

**II. COMPLETE BENEFICIARY INFORMATION FORM**

Department or Beneficiary will complete Department Request for H-1B Scholar using the link provided by ISSS.

**III. ISSS REVIEWS BENEFICIARY INFORMATION FORM**

After submission of the Beneficiary Information Form ISSS the assigned specialist to the case will review the information submitted for its completeness. The specialist will approve, deny, or request additional information that was not included or incomplete on the request.

Incomplete requests will often be denied and resubmission will be required for denied requests.

Once approval has occurred, ISSS will officially begin the process for the H-1B.

**Basic H-1B Process Timeline for Filing Petition (4-6 weeks)**

1. ISSS Determines Wage of Offered Position
2. ISSS filed Labor Condition Application (LCA) to Department of Labor (DOL)
3. DOL approves LCA after posting verification from Department (1 week after filed)
4. ISSS gathers petition documentation for petition
5. ISSS performs internal review of H-1B petition
6. ISSS files/ships H-1B petition to USCIS