

## H-1B VISA CHECK-IN

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\_\_\_\_\_ **MAINTENANCE OF STATUS** – All H-1B workers must maintain H-1B status by engaging only in activities identified on the H-1B petition, filing appropriate extensions and transfer notifications, and refraining from unauthorized employment. Please consult with your International Student Advisor in the International Programs Office if you have any questions regarding this matter.

\_\_\_\_\_ **PASSPORT** – During your stay in the United States, you must maintain a valid passport at all times. In order for there to be no interruption in your employment, it is your responsibility to renew or replace your passport in a timely fashion and to provide evidence of replacement to the International Programs Office.

\_\_\_\_\_ **FORM I-94** – This is your Record of Departure and Permit to remain in the United States. The form is evidence of your valid authorization to remain in the U.S. and must be stapled in your passport for the duration of your program. The I-94 has an expiration date, which must be renewed if you are to extend your stay. To avoid any interruption in your employment, an extension of your H-1B status should be filed 120 days prior to expiration date. Please make a note to check this document periodically to avoid any problems.

\_\_\_\_\_ **FORM I-797** – This is the Notice of Approval or extension of Nonimmigrant Visa Petition of an H Alien. A copy of the I-797 was provided to you by the International Programs Office.

\_\_\_\_\_ **LIMITATION OF STAY** – The length of time an individual may remain in the United States in H-1B status is indicated on your approved Form I-797. The maximum stay for an H-1B visa, including extension, may not exceed **six years**. After 6 years, the H-1B worker must apply for a change of status or prepare to depart the U.S. Please consult with your International Student Advisor if your need further clarification.

\_\_\_\_\_ **EXTENSION OF STAY** – If you will need to stay longer than the date shown on your I-94, you will need to request permission from Immigration. This office will assist you in doing that. Approximately eight months before the expiration of your authorized stay, a memo will be sent to your department advising anticipated expiration date. Your department must initiate the H-1B extension. Upon receipt of administrative approval to extend your H-1B status, my office will contact you for supporting documents and filing fees.

\_\_\_\_\_ **CHANGE OF EMPLOYER/EMPLOYMENT** – The H-1B Visa is specific to the employer and the employment. If you will change your employer or employment from that indicated on your Form I-797, you must process a new application for the H-1B Visa. To process a new application, you must make an appointment with your International Student Advisor. Failure to process a new I-797 could result in an interruption of your program.

\_\_\_\_\_ **FORM I-129 and ETA-9035** – In accordance with Department of Labor and Immigration regulations, the employer must provide H-1B holders with a copy of the H-1B petition and Labor Condition Application for H-1B non-immigrants. (ETA-9035).

\_\_\_\_\_ **OCCASIONAL SPEECHES AND LECTURES/REIMBURSEMENT OF EXPENSES** – H-1B visa holders are permitted to make occasional speeches and lectures at other institutions or at conferences, **but you may not receive compensation for these activities. H-1B workers may only be reimbursed for expenses incurred in connection with travel to other institutions or conferences.**

\_\_\_\_\_ **VISA STAMP** – The Visa Stamp was placed in your passport by the American Consul when you applied for the H-1B Visa outside the U.S. The visa is used for entry purposes **ONLY**. It does not permit you to remain in the U.S. Do not confuse the validity of your visa with your authorized stay noted on the I-94. The visa stamp does not have to be valid in order to request an extension of your stay, but must be valid if you will travel outside the U.S. and re-enter.

\_\_\_\_\_ **TRAVEL** – If you will be traveling outside the U.S. during the period you are on the H-1B status, it is imperative that you secure a letter from your employer confirming current employment in the same position described in the H position, before each travel and that you have a valid passport, a valid H-1B visa stamp, and a valid I-797. If you changed your status in the U.S. a cable confirmation will be required. Please discuss this matter with your International Student Advisor. Failure to have all of these documents could prevent your return to the U.S. Before planning travel outside the U.S., please contact our International Student Advisor and discuss this matter in detail. **See visa instructions attached.**

\_\_\_\_\_ **TAX** – The employment of an H alien is not excluded from Social Security coverage and is therefore subject to Social Security employee tax. Income tax is paid on income derived from employment in H status, unless tax exemption is specifically provided by treaty or convention.

\_\_\_\_\_ **RETENTION OF DOCUMENTS** – It is critical that you retain all immigration documents issued to you during your stay in the U.S. Never discard any of these documents. Even when you return to your country of legal residence, it is strongly recommended you keep these documents in a safe place in the event you are required to present them in the future. The International Programs Office will not retain copies once you leave the institution.

\_\_\_\_\_ **U.S. ADDRESS** – The International Programs Office must always have your current U.S. residential address on file. If you change residential address anytime during your stay at this program, you must notify my office in writing within 10 business days of your new residential address and telephone number. In addition, you are required by U.S. law (Sec. 256 of the Immigration and naturalization Act (8 USC 13505)) to report your U.S. residential address and telephone number to the U.S. Immigration Service. Any changes to your residential address in the U.S. must be reported to the INS within 10 days of address change by completing INS Form AR-11 or Form AR-11SR which can be found at: <http://www.immigration.gov/graphics/formsfee/forms/index/htm> . It is critical that you complete the correct form, Xerox a copy for your records, and mail the original to the address listed at the bottom of the form. It is recommended that you mail this form by certified mail return receipt. Each person who is a non-U.S. citizen is required to submit this form so if you have family members in the U.S. who are non-U.S. citizens, each person (including minor children) must have this form on record with INS.

\_\_\_\_\_ **National Security Entry-Exist Registration System (NSEERS)/Special Registration** – Implemented on September 11, 2002 and is now fully enforced. Requires the Department of Homeland Security (DHS) to photograph and fingerprint those subject to this requirement. Mandatory visits to the DHS U.S. Citizenship and Immigration Service (CIS) District Office when requested; and, compliance with mandatory departing U.S. requirements through approved departure location. Failure to comply with all requirements will result in loss of immigration benefits, removal proceedings and bars from the U.S. Internationals are advised that any non-U.S. citizen may be subject to NSEERS & if subject to this mandate, must fully understand compliance requirements. It is critical to be aware that although an International is not subject to this requirement today, he/she may be subject in the future. Failure to comply could result in your removal from the U.S. Details about NSEERS/Special Registration may be obtained from the BCIS website: [www.ice.gov](http://www.ice.gov) .

\_\_\_\_\_ **TEXAS IDENTIFICATION** – Due to State of Texas regulations, it is strongly recommended that, if you have a valid passport, I-94 and visa stamp, you immediately apply for a Texas Identification Card. This will permit you to apply for a Texas Driver's License in the future should your visa stamp be expired. You will need to bring your immigration documents (e.g. passport, I-94) and appropriate fee. For office locations call (210) 533-9171 or access their website at [www.txdps.state.tx.us](http://www.txdps.state.tx.us) .

\_\_\_\_\_ **SOCIAL SECURITY** – If you will be compensated in the U.S. by a U.S. source, you will need to apply for a Social Security Card. If paid by our institution, please secure a letter from the International Programs Office to facilitate this card being granted. At the time of application, you must request a receipt from the Social Security Administration as evidence of application and submit this evidence to the appropriate

administrative office on campus. The Social Security Administration has several offices in the San Antonio area. For office locations, office hours and documentation required to apply for a Social Security Card, please call 1-800-772-1213 or access their website at [www.ssa.gov](http://www.ssa.gov) .

\_\_\_\_\_ **CHECKOUT** – Prior to the completion of your program or within 30 days of your termination, it is mandatory for you to contact the International Programs Office to complete your checkout procedure.

\_\_\_\_\_ **POPULATION** – The International Programs Office is responsible for assisting a multitude of International visitors. For this reason **an appointment to meet with your International Student Advisor is required.** Please call (210) 999-7505 to make an appointment with your advisor. **It is your primary responsibility to maintain a legal status in the U.S., which permits you to complete the objective for which you entered the U.S.** Applications submitted to the Bureau of Citizenship and Immigration Services (formerly INS) require the submission of timely applications and a waiting period. In order to properly assist you, **appointments are required.** To avoid any delays in beginning your program or to prevent any interruption in your program and/or ability to travel outside the U.S. and re-enter on H status, it is imperative you plan ahead.

*Acknowledgement: The International Programs Office (IPO) Staff are not Attorneys and thus, are not authorized to provide any legal advice that is not associated to a visa which will be sponsored by the institution. Internationals seeking legal counsel which is not associated to visa sponsorship being supported by the institution must seek outside legal counsel; however, all Internationals are reminded that any visa application which will be sponsored by the institution must be processed through the International Programs Office. Should you have any questions regarding this matter, please discuss this with your International Student Advisor.*

**I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN EXPLAINED TO ME DURING MY CHECK-IN PROCEDURE WITH THE INTERNATIONAL PROGRAMS OFFICE, THAT I FULLY UNDERSTAND THE ABOVE INFORMATION, AND THAT I RECEIVED A COPY OF THIS FORM.**

Name: (Please Print) \_\_\_\_\_

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