

Permanent Residence Packet Person of Extraordinary Ability Category [I -140]

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The Department is responsible for completing all 'Department' forms and providing the required supporting documents. The Employee is responsible for completing all 'Employee' forms and providing the relevant supporting documents. Answer all questions, even if the answer is 'N/A' or 'None'. Incomplete questionnaires will delay Immigration Service's ability to do your filing in a timely fashion. Thank you for your cooperation in ensuring that the permanent residence filing process goes smoothly, by completing the forms in full and providing all documents requested.

The entire Permanent Residence packet, when completed and signed by the Provost's Office, must be forwarded to the Immigration Services Manager at Human Resources. If you have any questions about the Forms or the Checklists, please contact us by email at alberto.castillo@utrgv.edu

SERVICE	USCIS DOL FILING FEE(S)
PERM [Teaching Positions]	None
PERM [Non-Teaching Advanced Degree Professional]	None
PERM [Skilled Worker - Bachelor's Degree or Less]	None
Outstanding Professor / Outstanding Researcher [I-140]	\$580.00
Persons of Extraordinary Ability [I-140]	\$580.00
National Interest Waiver [NIW I-140]	\$580.00
I-140 Petition [for PERM filings only]	\$580.00
I-485 Bundle* [ages 14 years to 79 years]	\$1070.00
I-485 Bundle* [under 14 years or over 79 years]	\$600.00
Premium Processing [I-140 Petitions Only]** OPTIONAL	\$1225.00
* I-485 Bundle is a USCIS flat fee that includes : <ul style="list-style-type: none"> ▪ Biometrics ▪ I-765 [employment authorization] ▪ I-131 [travel document] 	

Department Request For Permanent Residence Petition Checklist

Please ensure that all of the following documents are included to avoid delays.

ONLY ONE PHOTOCOPY OF EACH DOCUMENT, UNLESS OTHERWISE INDICATED, IS REQUIRED.
PLEASE DO NOT SEND MORE THAN ONE CLEAR PHOTOCOPY.

Complete PR Packet Request with all questions answered

Copy of Department offer letter and employment contract

Filing Fee Check if applicable. "The Department of Homeland Security"

Employee evidence of 'extraordinary ability' status [see below]

Depending on the foreign employee's country of citizenship or nationality, there may be a delay before the I-485 can be filed. Employees so affected should regularly review the Department of State's monthly Visa Bulletin to determine when they can file the I-485 application(s).

The Visa Bulletin can be found at <https://travel.state.gov/content/visas/en/law-and-policy/bulletin.html>.

The Department is not required to pay the legal or filing fees related to the I-485 portion of the process for either the employee or the employee's family members. However, if the Department chooses to do so, they should properly annotate the Fee Sheet. However, because the I-485 fees are considered to be a 'non-business' expense, there are tax consequences to the employee and department if the department pays the I-485 fees:

- If the employee is considered a non-resident alien for US income tax purposes, there is a 30% tax withholding requirement for the I-485 payment. Therefore, we are required to 'gross up the department's I-485 payment by 30% to cover the tax liability. The department cost center will then be charged this amount.
- If the employee is considered a resident alien for US income tax purposes, the department's I-485 payment will have to be reported as 'income' on the employee's W-2 form. There may be tax consequences to the employee as a result of this payment. However, because the employee is required to report the income on their personal 1040 filing we cannot assess how great the tax liability will be. It could be offset by the employee's personal deductions but, as each 1040 filing is personal, a reliable estimate of the tax assessment is impossible.

Department Request For Permanent Residence Filing

Name of Department | School :

Name of Foreign Employee :

Type of Permanent Residence Filing Requested :

Labor Certification [PERM] Processing

Outstanding Researcher / Outstanding Professor

Person of Extraordinary Ability

National Interest Waiver

Department Certification

THE DEPARTMENT / SCHOOL CERTIFIES THE FOLLOWING :

1. The Department/School and the Foreign National are not undertaking this filing solely to obtain permanent residence for a temporarily employed foreign faculty member. Rather, the Department/School and the Foreign National intend that the faculty member will remain indefinitely employed with The University of Texas Rio Grande Valley.
2. The Department/School and the Foreign National will work closely with Immigration Services to assemble all the required documentation necessary for successful conclusion of the permanent residence process.
3. The Department/School will pay all Immigration Services processing fees and a clear, mutual agreement has been reached between the Department/School and Foreign National as to the payment of USCIS filing fees.

Chairperson Signature

Chairperson Printed Name

Date

Authorization of the Dean and Provost

I HEREBY AUTHORIZE AND FULLY SUPPORT THE APPLICATION FOR PERMANENT RESIDENCE ON BEHALF OF

Dean Signature

Dean Printed Name

Date

Provost Signature

Provost Printed Name

Date

Immigration Services Fee Sheet [Permanent Residence - EA]

Employee Name :

UTRGV Department Name :

UTRGV Department Contact Name :

UTRGV Department Contact Phone Number :

UTRGV Department Address :

Immigration Service Requested :

Academic Evaluation Fee ** :

USCIS I-140 Fee :

USCIS I-485 Fee [Employee] :

USCIS I-485 Fee [Family Dependents] :

USCIS Additional Fee(s) :

USCIS Premium Processing Fee :

Total Fees Due :

Account Number(s) To Be Charged :

Authorization of the Supervisor and Chairperson

By signing this form, I agree that I confirm that I have signature authorization for the Account # listed above. I have offered the named employee the position of employment indicated above effective now or immediately upon employee's receipt of approval of the immigration status requested. I indicate that I support the sponsorship for the individual names above and that I agree to pay for any and all advertising costs indicated to be necessary by HR Recruitment and Immigration Services, consistent with Dept. of Labor regulations for permanent labor certification applications. I also authorize payment of the amount indicated above. Should employment be terminated or the job duties/title/salary change significantly, I will ensure that Immigration Services is notified before this happens. Finally, should outside counsel be involved in this matter, authorization is given for the General Counsel or his/her designee, to approve check requests in payment for outside legal expenses to the department's account #.

Supervisor Signature

Supervisor Printed Name

Date

Chairperson Signature

Chairperson Printed Name

Date

Department Questionnaire

Employee Name :

UTRGV Department Name :

UTRGV Department Contact Name :

UTRGV Department Contact Phone Number :

UTRGV Department Email Address :

Country of Citizenship :

Country of Birth :

Job Title :

Academic Degree Required for Position :

Minimum Experience Required [in years] :

Brief Non-Technical Description of Duties :

Work Site Address and P.O. Box Number :

Annual Salary OR Hourly Wage Rate :

Employee Provided a Written Offer of Employment?

Is this a Teaching Position?

Is the position offered a permanent position in that
indefinite employment is expected?

Employee Information [Permanent Residence]

The 'Person of Extraordinary Ability' category requires the University to provide evidence that the employee is **internationally recognized as extraordinary** in the professional field specified in the petition. In order to successfully petition for a Person of Extraordinary filing the following must be provided to USCIS :

Evidence that the beneficiary has received a major, internationally-recognized award, such as a Nobel Prize, or substantial evidence of **at least three, and preferably four** of the following:

1. Receipt of nationally or internationally recognized prizes or awards for excellence in the field of endeavor.
2. Membership in associations in the field for which classification is sought which require outstanding achievements, as judged by recognized national or international experts in the field.
3. Published material in professional or major trade publications, newspapers or other major media about the beneficiary and the beneficiary's work in the field for which classification is sought.
4. Original scientific, scholarly, or business-related contributions of major significance in the field.
5. Authorship of scholarly articles in professional journals or other major media in the field for which classification is sought.
6. A high salary or other remuneration for services as evidenced by contracts or other reliable evidence.
7. Participation on a panel, or individually, as a judge of the work of others in the same or in a field of specialization allied to that field for which classification is sought.
8. Employment in a critical or essential capacity for organizations and establishments that have a distinguished reputation.

In addition letters from distinguished members of the academic field who can attest to the extraordinary nature of the employee's work and professional contributions are beneficial.

In addition every employee must show at least three years of full-time work experience or evidence that the employee was internationally recognized as EXTRAORDINARY during their graduate or post-graduate studies.

*Note that 'international' means at least one country other than the USA and foreign country of residence.

Academic Degree Credentialing Companies

The companies below are provided as guidance only.
Immigration Services does not recommend any particular agency.
You may choose any U.S. academic credentialing agency.

- Morningside Evaluations [www.mside.com]
- Trustforte Corporation [www.trustfortecorp.com]

Employee Information [Permanent Residence] continued

Please ensure that all of the following documents are included to avoid delays in filing the Permanent Residence petition.

ONLY ONE PHOTOCOPY OF EACH DOCUMENT, UNLESS OTHERWISE INDICATED, IS REQUIRED.
PLEASE DO NOT SEND MORE THAN ONE PHOTOCOPY AND MAKE SURE THAT THE COPY IS CLEAR.

Required Documents

- Fully completed Employee Questionnaire and Employee Family Questionnaire if relevant.
- Curriculum vitae [CV]
- Last diploma received [PhD/Masters/Baccalaureate] and transcripts
- Certified English translation of diploma and transcripts
- Academic credential evaluation, for non-US degree(s) [see below]
- Citations list the summary of article/journal/publication where your work has been cited
- Evidence of prior work experience [if required for position] in the form of employment letters
- Statement of research demonstrating your work in the field [written in simple English using layman's technology]
- Current passport biographical data page
- Current passport page showing passport expiration date
- Current US non-immigrant visa [if physically present in U.S.]
- Current I-94 card [front and back]
- All Forms I-797 [USCIS approval of previous applications or petitions relating to your status in the U.S.]

If Applicable Documents

- Copy of I-612 approval notice showing §212(e) waiver
- Copy of all IAP-66 and DS-2019 documents
- Copy of all I-20 documents
- Copy of EAD [Optional Practical Training - OPT] card

Employee Questionnaire

Name [Last, First Middle] :

Home Address :

Telephone Number :

E-mail Address :

All Other Names Used :

Date of Birth :

Country of Birth :

Country of Citizenship :

City / Province of Birth :

Social Security Number :

'A' Number [if any] :

Passport Number :

Passport Issued Date :

Passport Expiration Date :

Last Arrival Date in U.S. [mm/dd/yyyy] :

Current Visa Status :

Foreign Address :

Are you currently in Removal Proceedings? :
[exclusion or deportation proceedings]

Current

Previous

Full Name of Employer :

Address of Employer :

Full Name of Supervisor | Chair :

Telephone of Supervisor | Chair :

Exact Date of Employment :

Employee Signature

Employee Printed Name

Date

Employee Family Checklist and Questionnaire

Spouse Full Name [Last, First Middle] :

Date of Birth :

Country of Birth :

Country of Citizenship :

Child Full Name [Last, First Middle] :

Date of Birth :

Country of Birth :

Country of Citizenship :

Child Full Name [Last, First Middle] :

Date of Birth :

Country of Birth :

Country of Citizenship :

Child Full Name [Last, First Middle] :

Date of Birth :

Country of Birth :

Country of Citizenship :

Child Full Name [Last, First Middle] :

Date of Birth :

Country of Birth :

Country of Citizenship :

Family Member Signature

Family Member Printed Name

Date