

Department of Homeland Security H-1B Site Visits

FACULTY/STAFF VISA SERVICES (FSVS)

3434 S. Grand Ave., CAL 302
Los Angeles, CA 90089-2812

Phone: 213-740-5257

Fax: 213-821-7877

Email: fsvs@usc.edu

<http://visaservices.usc.edu>

To investigate potential fraud in the H-1B Temporary Worker program, the U.S. Department of Homeland Security (DHS) has implemented unannounced visits to H-1B employers across the United States. USC receives several of these visits each year. Site visits usually start at Faculty/Staff Visa Services (FSVS). However, DHS officers may also directly contact an H-1B individual, their department, or simply show up at the work site indicated on the petition filed by USC.

If You or Your Department Receives a Visit

- Call or email The FSVS Director, Joseph Elias, immediately to let him know you are being visited. He can be reached at (213) 740-5257 or by email at: elias@usc.edu
- Ask see the officer(s) badge and/or identification. Write down their name and ID number.
- If you are unable to immediately answer any particular question, explain to the investigator that you need additional time to consult with FSVS, since we will have the information they are seeking. Please also feel free to refer the officer to the FSVS Director.

What Will the Officer Ask About?

- They will confirm that the person is employed by USC.
- They will ask about the job: title, salary, hours, duties, degree requirements, and location.
- The H-1B employee may be asked similar questions.

...And Another Thing!

When USC submits an H-1B petition to the government, we are making specific statements about the job: the title, salary, hours, duties, degree requirements, and location. If any of these aspects of the H-1B employee's work changes, USC must file a new petition before the changes are instituted. If this is the case with any of your H-1B employees, please contact FSVS immediately.

Please inform your staff and H-1B employees about the possibility of DHS site visits and to not be alarmed if there is a visit. For additional questions, make an appointment with your FSVS Specialist.

WHAT FSVS CAN DO FOR YOU

Faculty/Staff Visa Services (FSVS) is committed to providing high-quality services to support the immigration processing of foreign national faculty and staff at USC. We work for the university, and work in partnership with hiring departments and offices around the university to ensure that our employees are in the proper work visa status and that processing for visas and “green cards” goes as smoothly and quickly as possible. At any given time, there are approximately one thousand foreign nationals in our system working for over 235 hiring departments.

Please visit our website at:

<http://visaservices.usc.edu>



University of Southern California

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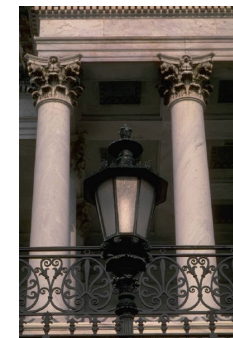
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UNIVERSITY OF SOUTHERN
CALIFORNIA

FACULTY/STAFF VISA SERVICES (FSVS)

IMPORTANT INFORMATION FOR H-1B STATUS HOLDERS



TEL: 213-740-5257



H-1B INFORMATION

PROCESSING AN H-1B VISA

STAMP

Some individuals will need to process a new visa stamp in their passport in order to enter the USA in H-1B status.

Who doesn't need an H-1B visa stamp to enter the USA in H-1B status?

- Individuals who changed status to H-1B from another visa status (F-1, J-1, etc.) and have not left the USA
- Individuals who changed H-1B employers and have a new I-797 approval notice, plus a valid visa stamp processed through the previous employment.
- Most Canadian citizens (there are a few exceptions)

Before you make your travel plans, please visit the website of the U.S. Consulate where you intend to process your visa stamp for information regarding the procedure. It should also have information about processing for any family members entering with you in dependent H-4 status.

U. S. Consulate websites can be found at:
<http://www.usembassy.gov>

USCIS “DROP-IN” VISITS

The USCIS' fraud detection unit (FDNS) performs unannounced visits to H-1B holders across the country. These visits are routine. If you are visited:

- Contact the FSVS Director, Joseph Elias at elias@usc.edu or 213-740-5257 immediately!
- Ask to see the person's badge and write down their ID number.
- Feel free to refer the officer to the FSVS Director for any questions you can't immediately answer.

CHANGES TO YOUR H-1B

EMPLOYMENT

Your H-1B employment is limited to what was described in USC's petition. If there are changes to your employment with USC (other than an annual salary increase), USC will need to file a new petition. You and/or your department should contact FSVS immediately if any of the following is contemplated:

- Title Change
- Duties Change
- Department Change
- A second H-1B position with another employer
- You are leaving USC employment

EXTENDING YOUR H-1B

Be sure you and your hiring department coordinate submission of the extension request to FSVS a full 6 months prior to expiration. Doing so will ensure better strategy and options if you are traveling, and will ensure that there is adequate time for processing.

IF YOU HAVE A “GREEN CARD” CASE PENDING

USC policy is to continue to extend your H-1B until you have received your new “green card”. This protects you from processing mishaps at a critical time.

REPORTING YOUR U.S. RESIDENCE ADDRESS

Under current regulations, you must inform the USCIS within 10 days of taking up a new residence. Changes can be reported through the USCIS website at:

<https://egov.uscis.gov/coa/displayCOAForm.do>

Obtaining an H-1B Visa Stamp at a U.S. Consulate

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Who needs an H-1B visa stamp?

- A new H-1B holder entering the U.S. for the first time in H-1B status.
- An extended H-1B holder entering the U.S. after the extension is approved.

Who doesn't need an H-1B visa stamp?

- Many Canadian passport holders do not need a visa stamp (there are a few exceptions). Generally, Canadians need their valid passport plus their original I-797 approval notice to re-enter.
- People who changed status to H-1B from another status, such as F-1 or J-1, while remaining in the U.S. can remain without having an H-1B visa stamp in their passport. However, they need to process an H-1B visa stamp in order to re-enter the U.S. after travel abroad.

How do I obtain an H-1B visa stamp?

- When you are making your travel plans, visit the website of the U.S. Consulate where you plan to apply for a visa stamp. U.S. Consulate websites can be found at: <http://www.state.gov>
- You can make an appointment, pay fees, submit some of your documents and the required forms, and get processing times on the Consulate's site. Each Consulate will have slightly different requirements.
- Most Consulates have longer processing times during summer and winter holidays.

Important - Print your I-94 after you enter the U.S.!

In spring of 2013, U.S. Customs and Border Protection (CBP) officers stopped giving out the white I-94 entry card. Instead, you are now responsible for printing out your entry information from the CBP website at: <http://www.cbp.gov>

It is very important to do this ASAP after entry, to be certain that your entry status and the validity period of your stay are correct. If there are discrepancies, contact FSVS immediately.

KNOW YOUR RIGHTS

Please visit the website of the American Civil Liberties Union (ACLU) for information about your rights at your entry point to the U.S.: <https://www.aclu.org/>



FSVS

Faculty/Staff Visa Services
Office of the Vice Provost for Faculty Affairs

INDIVIDUAL H-1B ORIENTATIONS AVAILABLE

If you have questions about your H-1B status, we encourage you to make an appointment with your Visa Specialist to get answers to some frequently asked questions, such as:

What if my family situation changes?

What do I need to travel?

Can I take a leave of absence?

What do I have to do if I find another job at USC?

What if I am on a project but the grant money is running out?

To make an appointment, please call our front desk at 213-740-5257 or email us at fsvs@usc.edu. Both in-person and phone meetings can be arranged.

We look forward to hearing from you!

H-1B ACKNOWLEDGEMENT

Please complete and bring this with you to your H-1B Orientation session.

I understand and acknowledge the following:

H-1B General Information

1. The maximum time I can hold the H-1B status is 6 years unless I'm eligible for special extension under the American Competitiveness in the 21st Century Act (AC21) otherwise.
2. My H-1B status is valid within the validity of the I-94 or the Form I-797, whichever is shorter.
3. I confirm that I picked up the original USCIS notice(s) on the date below and understand that it is my responsibility to retain all original notices from USCIS.

_____ Initial

H-1B Employment

4. My H-1B status is valid for the position, and location(s) stated in the H-1B petition and supporting documents (LCA).
5. I am not authorized to work for another employer using USC's approved H-1B petition because my H-1B status is employer-specific.
6. I am not authorized to perform secondary employment, moonlight, consult, receive royalties for publications for writing/research completed in the US, nor accept honorariums beyond travel and lodging and incidental expense reimbursement.
7. I am permitted to pursue concurrent H-1B employment as long as it is consistent with USC's policies requiring prior department approval and does not infringe upon my USC H-1B responsibilities.
8. I must inform FSVS of any changes in my employment as soon as I have knowledge that the change is imminent. (For example, a person who obtained H-1B status for a postdoctoral fellow is to be promoted to a research associate; or a person who obtained H-1B status to work in one department plans to move to another department.)

9. I must inform FSVS when my employment with USC terminates, either voluntarily or involuntarily, as soon as I have knowledge that the termination is imminent.

Initial

H-1B Visa and Travel

10. If I intend to travel outside of the U.S., I must possess a valid H-1B visa stamp in my passport. Otherwise, I must apply for a new H-1B visa stamp from a U.S. consulate or embassy prior to my re-entry to the U.S. I understand that most Canadians are exempt from this requirement.
11. I understand that the H-1B visa stamp process at a U.S. consulate or embassy can be delayed for security checks by government agencies or other reasons without notice.
12. I understand that H-1B visa stamp is not guaranteed and cannot be expedited.
13. It is my responsibility to review H-1B visa application requirements and obtain necessary documents and/or information before travelling.
14. It is my responsibility to retrieve my latest **I-94** (arrival/ departure record) **after each trip abroad** and review for accuracy. I must inform FSVS if the information is incorrect, esp. the classification (not H-1B), validity (less than my H-1B approval), name, etc. It is my responsibility to take actions to correct any information I believe has been done in error.
15. I understand that the latest I-94 validity and classification will supersede the previous I-94, which can negatively impact my ability to work.

Initial

H-1B Status and Extension

16. It is my responsibility to maintain H-1B status.
17. It is my responsibility to make sure my department submits an application to extend my H-1B status to FSVS as early as seven months but no later than three months before my H-1B petition or I-94 expires, whichever is sooner.

18. I understand that with a timely filed H-1B extension or amendment petition, I am allowed to continue to work and stay for up to 240 days beyond the current expiration date while the petition is pending with USCIS.
19. I understand that I must not travel abroad during H-1B extension or amendment processes. If I need to travel abroad, I must inform FSVS as soon as possible.

Initial

H-1B Employment Termination

20. I understand that if my employment is terminated before the expiration date of the H-1B petition filed on my behalf, I may not have a grace period. I understand that I must leave the U.S. or apply to change my immigration with USCIS by the USC termination date in order to stay in the U.S. legally. I understand that it is my responsibility to obtain independent counsel regarding my immigration status beyond termination.
21. If my H-1B employment is involuntarily terminated prior to my H-1B validity, I understand that USC is obligated to offer to arrange for reasonable return transportation to my last country of residency. I understand that USC reserves the right to choose mode of transportation and travel schedule as it deems appropriate. I understand reasonable return transportation does not include my dependents. USC will not reimburse any travel expenses I choose to pay myself.

Other

22. I understand that H-4 dependent status does not in itself provide employment authorization, and that under certain very limited circumstances, an H-4 holder can obtain employment authorization.
23. If I am changing my place of residence in the U.S., I must inform the United States Citizenship and Immigration Services (USCIS), Department of Homeland Security, within 10 days of such change. I will also report this information for my dependents here with me. I understand that I have to fill out Form AR-11 to report the address change to the USCIS.

Initial

I certify that I have read and understand the information listed above, and I have received a copy.

Print Name:	Signature:
Date:	