



• Permanent Residency Application Packet •

PERMANENT RESIDENCY OVERVIEW

Permanent Residency, also known as the Green Card, is an immigrant visa status. There are many different paths to obtaining Permanent Residency, but the University of Mississippi can petition for only specific employment-based categories. The categories of Permanent Residency which are sponsored by the University of Mississippi are: EB-1 Outstanding Researcher/Professor, EB-2 Advanced Degree Holders, EB-2 Exceptional Ability in the Science, Arts, or Business, and EB-3 Professional or Skilled Worker.

IMPORTANT NOTE: Only the University of Mississippi, Office of International Programs (OIP) can process Permanent Residency petitions that are based on University employment. University employees MAY NOT hire an immigration attorney or self-petition for EB-1 Outstanding Researcher/Professor, EB-2 Advanced Degree Holders, EB-2 Exceptional Ability in the Science, Arts, or Business, or EB-3 Professional or Skilled Worker.

TIMING OF FILING – PLAN MORE THAN 1 YEAR IN ADVANCE

Permanent Residency is a long process, which is why it is very common for PR applicants to hold a status such as H-1B while filing for Permanent Residency. For teaching faculty and instructors, there is an 18-month window after the initial job offer to be able to use the Special Handling option with the Department of Labor. Depending on the type of application process and the applicant's country of origin, an applicant for Permanent Residency can wait months or years after the I-140 approval for final approval of Permanent Residency. In general, EB-1 categories are given the highest priority for adjudication of Permanent Residency. EB-2 applications are given second highest priority. EB-3 categories have the longest wait time for adjudication. More information about country and category backlogs can be found in the Visa Bulletin: http://travel.state.gov/visa/frvi/bulletin/bulletin_1360.html.

At the very least, OIP recommends that departments and employees begin the Permanent Residency process more than a year in advance of the last date of employment eligibility available to the international employee, especially for employees in H-1B status.

IMPORTANT NOTE ABOUT J-VISA HOLDERS AND 2-YEAR HOME RESIDENCY REQUIREMENT

If the PR applicant is currently in the U.S. in J-Visa status or has previously held J-Visa status, the international employee may be subject to the 212(e) two year home residency requirement. Many J-Visa programs require the individual to complete a two-year home residency requirement [212(e) Rule] in the J-Visa holder's home country. It is sometimes possible for the J-Visa holder to get a waiver of the two-year home residency requirement through the Department of State, but the waiver must be granted before OIP can process the Permanent Residency application.

More information about the waiver requirements and processes are on the U.S. Department of State website: http://travel.state.gov/visa/temp/info/info_1296.html. It is important to note that once a waiver of the 212(e) two-year home residency requirement has been recommended by the Department of State, the J-Visa holder's DS-2019 and J-program can no longer be transferred or extended; so the waiver should not be sought unless PR support is guaranteed.



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PERMANENT RESIDENCY CATEGORIES SPONSORED BY THE UNIVERSITY OF MISSISSIPPI

EB-1 OUTSTANDING PROFESSORS AND RESEARCHERS CATEGORY

The EB-1 Outstanding Professor/Researcher category is an excellent option for any international faculty member or researcher who has many years of experience in the field and is either tenured or in a tenure-track/ permanent position. This category is at the highest level of categories and is given the highest priority for processing by US Citizenship and Immigration Services. New faculty or researchers who have not completed at least 3 years of post-doctoral full-time instruction or research cannot be considered for this category of sponsorship.

EB-1 Applications **do not** require Labor Certification by the Department of Labor. All proof of eligibility must be shown by the international applicant. Departments will only have to submit the Enclosure A forms from this application packet, a support letter, and the I-140 filing fee for an EB-1 Outstanding Professor/ Researcher Petition.

Basic Requirements - EB-1 Outstanding Professor/Researcher petitions must meet three basic requirements:

1. The applicant must be recognized internationally as outstanding in teaching or research in the academic area;
2. The applicant must have at least 3 years of experience in teaching or research in the academic area;
3. The position the applicant holds must be either a tenured or tenure-track position (for professors) or a permanent position (for researchers).

Establishing Eligibility - An EB-1 applicant can establish eligibility as an outstanding professor or researcher by developing and submitting documentation in at least two (preferably three) of the categories listed below:

- Receipt of major prizes or awards for outstanding achievement in the field of endeavor;
- Membership in associations in the academic field which require their members to demonstrate outstanding achievements to become a member (not just a due-paying association);
- Published material in professional publications written by others about the alien's work in the academic field (i.e. in-text citations of the applicant's work or research). Such evidence should include title, date, and author of the publication and any necessary translations;
- Participation, either on a panel or individually, as a judge of the work of others in the same or allied academic field (such as a reviewer for an academic journal);
- Original scientific, scholarly, or business-related contributions in the field (as shown by letters of attestation and support from colleagues and other experts in the field; letters should be accompanied by CV's or Resumes);
- Authorship of scholarly books or articles (in scholarly journals with international circulation) in the academic field.



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EB-2 ALIENS OF EXCEPTIONAL ABILITY IN THE SCIENCES, ARTS, OR BUSINESS CATEGORY

The EB-2 Aliens of Exceptional Ability in the Sciences, Arts, or Business category is an excellent option for any international instructor, researcher, or professional staff member who has many years of experience in the field but may not hold a Master's or Ph.D. degree. This category is rarely used by the University of Mississippi.

EB-2 Applications require Labor Certification by the Department of Labor. In addition to the evidence of eligibility as an EB-2 Alien of Exception Ability that must be shown by the international applicant, the Department will have to follow the recruitment guidelines for proper Labor Certification. Departments will also have to submit the Enclosure A forms from this application packet, a support letter, and the I-140 filing fee.

Establishing Eligibility - An EB-2 applicant can establish eligibility as an alien of exceptional ability in the sciences, arts, or business by developing and submitting documentation in at least three (preferably four) of the categories listed below:

- An official academic record showing that the applicant has a degree, diploma, certificate, or similar award from an institution of learning relating to the area of exceptional ability;
- Evidence in the form of letters from current or former employers showing that the applicant has at least ten years of full-time experience in the occupation;
- A license to practice the profession or certification for a particular profession or occupation;
- Evidence that the applicant has either commanded a salary or other remuneration for services, as shown by contracts or letters of employment, which demonstrates exceptional ability;
- Membership in professional associations;
- Evidence of recognition for achievements and significant contributions to the industry or field by peers, governmental entities, or professional or business organizations.

EB-2 HOLDERS OF ADVANCED DEGREES CATEGORY

The EB-2 Holders of Advanced Degrees category is an excellent option for any new faculty member or researcher.

EB-2 Applications require Labor Certification by the Department of Labor. Most of the work for this petition must be done by the department. The Department will have to follow the recruitment guidelines for proper Labor Certification. Departments will also have to submit the Enclosure A forms from this application packet, a support letter, and the I-140 filing fee.

Basic Requirements - EB-2 Holder of Advanced Degrees petitions must meet three basic requirements:

1. Applicant must be a member of the academic profession;
2. Applicant must hold an advanced degree (a post-baccalaureate degree such as a Master's, Ph.D., or equivalent);
3. The position must require an advanced degree as a minimum requirement.

EB-3 PROFESSIONALS CATEGORY

The EB-3 Professionals category is meant for any professional position that requires a minimum of a Bachelor's degree. This is the category used most often for full-time, permanent support staff members.

EB-3 Applications require Labor Certification by the Department of Labor. Most of the work for the support of this petition must be done by the department. The Department will have to follow the recruitment guidelines for proper Labor Certification. Departments will also have to submit the Enclosure A forms from this application packet, a support letter, and the I-140 filing fee.

Basic Requirements - EB-3 Professionals petitions must meet three basic requirements:

1. The applicant must be a member of the academic profession;
2. The applicant must hold at least a bachelor's degree or foreign equivalent;
3. The position must require a bachelor's degree as a minimum requirement.



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PROCESSING STEPS

STEP 1: HUMAN RESOURCES APPROVAL

To begin the Permanent Residency process, the employee's **department must contact Human Resources** to request that the University sponsor a Permanent Residency petition on the employee's behalf. Academic Departments must get both the approval of the Dean of their School as well as the approval of the Provost for the support of a Permanent Residency petition. A sample memo for obtaining approval is included in the Enclosure A section of this packet.

Human Resources must check to see that the employee is in a permanent position at the university. If the position is not permanent or if the funding for the position is from grants or outside funds, HR may not approve the sponsorship. When HR approves the request to sponsor Permanent Residency, they will contact International Programs.

STEP 2: MEETING WITH OFFICE OF INTERNATIONAL PROGRAMS

After the Office of International Programs has received approval from HR to proceed with the Permanent Residency application, **a meeting between OIP, the international employee, and the department** will be set.

During this meeting, the International Programs will look at options for filing the Permanent Residency. International Programs must decide whether labor certification is required or if the Permanent Residency application can be filed in the Outstanding Professor/Researcher category which is exempt from labor certification. Besides establishing which type of filing of Permanent Residency will be done, the meeting is important to go over the requirements and necessary documentation with both the department and the international applicant.

STEP 3: SUBMITTING ENCLOSURE A & B FORMS TO INTERNATIONAL PROGRAMS

After the meeting with International Programs, the department will be asked to submit the Enclosure A Application section of the Permanent Residency Application. The Enclosure A forms will help set the formal job title, requirements, duties, and pay. With this information, International Programs will work with the department to establish an appropriate recruitment plan if labor certification is necessary.

Also, the international applicant will be asked to complete and submit all documentation and forms from the Enclosure B Section of the Permanent Residency Application. With both labor certification cases and with EB-1 Outstanding Professor/Researcher cases, the Enclosure B information is necessary before any part of the Permanent Residency case may be filed.

STEP 4: FILING LABOR CERTIFICATION (IF FILING IN EITHER EB-2 OR EB-3 CATEGORIES)

If the Office of International Programs determines that the best option for filing is either EB-2 Advanced Degree Holders category, EB-2 Exceptional Ability in the Science, Arts, or Business category, or EB-3 Professional or Skilled Worker category, labor certification will be required. Labor certification is a process by which the University of Mississippi submits to the Department of Labor specific information about both the job-requirements as well as the advertising and search process that the department used to fill the position which the international employee holds. For the EB-2 and EB-3 categories, the University of Mississippi must have the Department of Labor's approval before the I-140 Petition can be sent to USCIS.

For the Department of Labor recruitment requirements, see the Labor Certification Process section on pages 8 and 9 of the Permanent Residency Packet.



PROCESSING STEPS (CONTINUED)

STEP 5: FILING I-140 PETITION WITH U.S. CITIZENSHIP AND IMMIGRATION SERVICES

Once the Office of International Programs has received either all the documentation for the support of an EB-1 petition for Outstanding Researcher/Professor or the labor certification approval from the US Department of Labor for an EB-2 or EB-3 petition, the University of Mississippi can file the I-140 Petition for Alien Worker. The I-140 is the main petition of support for the international employee's Permanent Residency, though the international employee must file several other applications to complete the Permanent Residency process.

STEP 6: INTERNATIONAL EMPLOYEE FILES FINAL PAPERWORK FOR PR-STATUS

The I-140 Petition for Alien Worker is not the final application for Permanent Residency. It is just the University's support of an international employee. Basically, an I-140 approval gives an international employee a valid reason for being able to apply for a Green Card. Without the University's approved support, the international employee would have no legal reason for being able to apply for Permanent Residency.

After the University of Mississippi files the I-140 in support of an international applicant for Permanent Residency, the international employee has two choices for completing the Permanent Residency Process. The first choice is to file for an adjustment of status to Permanent Residency from within the United States by using the form I-485 Application to Register Permanent Residence or Adjust Status. The other choice is to process Permanent Residency at a U.S. Consulate or Embassy through Consular Processing, which involves traveling abroad for an interview in order to obtain Permanent Residency.

While International Programs does not prefer one method over the other, the I-485 Adjustment of Status is the most common processing method and allows the international applicant to apply for a Green Card from within the United States. More information about the adjustment of status process can be found in the "I-485 Adjustment of Status" section. More information about Consular Processing can be found at www.uscis.gov.



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DEPARTMENT RESPONSIBILITIES:

- Request Human Resources Approval
- Complete Enclosure A documents
- Pay the I-140 filing fee of \$580. Departments have the option of Premium Processing for expedited service for an additional fee. Payment **MUST** be processed through UM Procurement Services using the Request for Payment form (*included in Enclosure A section*). The Department of Labor has determined that it is illegal to have an international employee pay for University sponsored employment petitions.
- Write the letter of support for the international employee (sample included in this packet)
- FOR ALL APPLICATIONS REQUIRING LABOR CERTIFICATIONS: Submit recruitment report and methods, internal posting notice, Provost’s offer letter, etc. More information on this required documentation is articulated on page 8 of this application.

EMPLOYEE RESPONSIBILITIES:

- Complete Enclosure B documents
- Curriculum Vita/ Resume which includes current address, home country address, statement of work history, and list of publications
- Copy of all university-level academic degrees, diplomas, and transcripts/mark sheets.
 - Diplomas and transcripts/mark sheets do not have to be originals
 - On the back of each photocopy, sign a statement that says “This is a true photocopy and originals are available upon request.”
 - Documents not in English must be translated by someone competent to do so (See translation certificate sample at end of PR Packet)
 - Degrees issued by non-U.S. institutions will have to have a foreign credential evaluation processed by International Programs
- Copy of Passport Identification Pages (Full-page photocopies ONLY. Do not cut the photocopy to the shape of the passport)
- Copies of I-94 Card (FRONT AND BACK)
- Copies of current/ most recent Visa Stamp
- Copies of all previous I-20’s, DS-2019’s, IAP-66’s, and H-1B or H-4 I-797 Approval Notices
- Proof of I-612 waiver of 212(e) Two-Year Home Residency Requirement if currently or previously on J-Visa
- Applicants who are filing in the EB-1 Outstanding Professor/Researcher or EB-2 Aliens of Exceptional Ability in the Sciences, Arts, or Business categories must submit significant evidence of their qualifications, detailed in the Enclosure B section of the Permanent Residency application.

The employee is also responsible for filing the I-485 Adjustment of Status petition and all associated petitions in order to complete the PR process. General information on the adjustment process can be found on the following page. The employee is responsible for payment of filing fees associated with adjustment process, but NOT the I-140 filing fees. All filing fees associated with the I-140 petition are paid by the University.



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I-485 ADJUSTMENT OF STATUS: FINAL STEP TO OBTAINING PR-STATUS IN THE U.S.

To adjust status to Permanent Residency within the United States, the international employee must file the Form I-485, Application to Register Permanent Residence or Adjust Status. Before being able to apply for adjustment of status, the applicant's priority date (based on the I-140 Receipt Date or the PERM filing date with the Department of Labor) must be current. The current priority dates can be found in the Visa Bulletin:

http://travel.state.gov/visa/frvi/bulletin/bulletin_1360.html. If the employee is filing in a category that is not backlogged by USCIS, it may be possible for the applicant to file the I-485 Adjustment of Status application concurrently with the University's I-140 Petition. Otherwise, the applicant must wait until the I-140 is approved and the priority date is current before filing the I-485.

In general, the following documents and forms are necessary to be able to adjust status to Permanent Residency. The details are available under the Forms Section at <http://www.uscis.gov/portal/site/uscis>:

- Form I-485 for Applicant and for each dependent family member
- I-485 fee and biometric fee for Applicant and for each dependent family member
- Copy of I-140 receipt/approval notice (not needed if concurrently filing I-485 and I-140).
- Proof of waiver or completion of 212(e) 2-Year Home Residency Requirement if currently/previously on J-Visa and changing status in U.S.
- Form G-325A Biographic Information for Applicant and Each Family Member
- Form I-134 Affidavit of Support, notarized and completed by main applicant for any dependent family members
- Form I-693 medical exam and Form I-693 supplement for applicant and each dependent family member, completed and sealed by a Designated Civil Surgeon (Civil Surgeons can be found under I-693 in the forms section at www.uscis.gov)
- Letter of support from the academic department (see sample letter in Enclosure A Section for the Department)
- Two passport style photos for applicant and each dependent family member
- Copy of birth certificates for applicant and each dependent family member, with English translation if not in English
- Copy of marriage certificate with translation if not in English
- Copy of divorce or death certificates from previous marriages with translation if not in English
- Copy of all passports held by applicant and dependents (include introductory page and any and all stamped pages)
- Copies of I-94 Card (FRONT AND BACK) and current/ most recent Visa Stamp
- Copies of all previous I-20's, DS-2019's, IAP-66's, and I-797 Approval Notices
- Copies of transcripts for anyone who studied in the U.S. as an F-1 or J-1 student

APPLYING FOR TEMPORARY WORK AUTHORIZATION BASED ON PENDING I-485

While waiting for the adjudication of an I-485 application to adjust status, it is possible for the applicant (and any dependent family members for whom I-485s have also been filed) to apply for an Employment Authorization Card (EAD Card). To obtain the EAD Card, the applicant must submit the form I-765 along with the appropriate filing fee and documentation of the I-485 application. In general, the EAD Card is only authorized for one year at a time.

TRAVEL AUTHORIZATION WHILE PENDING ADJUSTMENT OF STATUS TO PR

Individuals who travel internationally may want to apply for Advanced Parole using the Form I-131. Advanced Parole allows the individual who has filed the I-485 to travel and reenter the United States without the need for a new visa. Advanced Parole is not necessary for H-1B Visa Holders since their visa is a dual-intent visa-type, but it is necessary for any other visa-type to make sure that their I-485 petition is not cancelled due to abandonment of the petition.

NOTE: The University of Mississippi requires that anyone who travels and reenters the U.S. on Advanced Parole have an EAD Employment Eligibility Card to be eligible to work at the University of Mississippi.



LABOR CERTIFICATION PROCESS

There are two separate processes for Labor Certification. The Special Handling Process is an option for any employee whose position requires classroom teaching. Otherwise, the Regular Labor Certification process must be used for any other professional position.

SPECIAL HANDLING PROCESS – ONLY FOR TEACHING FACULTY AND INSTRUCTORS

The Special Handling Process for Labor Certification is a great option for a Department which wishes to support any international teaching faculty or instructors for Permanent Residency. The process requires much less work and documentation than the standard Labor Certification Process.

The Special Handling Process still requires that the department follow the basic steps for supporting Permanent Residency. This means the Department must first get Human Resources approval to support the position for Permanent Residency.

Also, Departments must submit the Enclosure A form of the Permanent Residency Packet and the proposed advertisement and recruitment plan to the Office of International Programs for review before placing any ads. If experience is required for the position, the international applicant must have had that experience before being hired by the University of Mississippi. Experience gained while working for the University of Mississippi cannot be used to satisfy minimum experience requirements unless that experience was gained in a substantially different position.

Basic Requirements – To be eligible for Special Handling processing, the job position and job search must meet the following requirements set by the U.S. Department of Labor:

- Position must involve classroom teaching;
- Allows University of Mississippi to pick the most qualified candidate (not just the only qualified candidate);
- Department must advertise the position in the **print version** of *The Chronicle of Higher Education* or the equivalent publication for the profession. Online ads will not be accepted. The ad must appear in at least one edition, and the ad must list teaching in the job requirements;
- Department must do an internal posting of the position for ten business days- following Department of Labor specifications (posting notice will be provided by Office of International Programs);
- Department must accept applications for 30 days following publication of ad;
- The search committee must write report detailing recruitment efforts, including location of ads, screening processes, list of all applicants and non-selection reasons and statement explaining why the chosen candidate is the best for the position (a sample of the recruitment report is included in the Enclosure A section);
- The University must file the PERM labor application within 18 months of position selection (the selection date is the date the search committee made the recommendation to hire, not the date of job offer).

Once the Department has completed all of the Special Handling recruitment requirements, they must submit all evidence of advertising and recruitment efforts to the Office of International Programs.

To be submitted by the Department upon completion of the search:

- Original copy of the print advertisement or the official tear sheet from *The Chronicle of Higher Education* or equivalent publication
- The internal posting notice of job availability signed and dated by Department Head that shows the location of the posting of the notice and the dates of posting (must be ten business days, **not** ten calendar days)
- A signed Recruitment Report from the head of the search committee which outlines the recruitment steps taken (including advertising methods and dates, number of total applicants, number of candidates, number who were interviewed, reason for non-selection, and reason for selection of the international employee)
- The Provost’s offer letter to the employee



REGULAR LABOR CERTIFICATION PROCESS FOR NON-TEACHING PROFESSIONAL POSITIONS

The Regular Labor Certification Process for Labor Certification is the only option for a Department which wishes to support Permanent Residency for any international staff member or researcher who does not qualify for the EB-1 Outstanding Professor/ Researcher Category and whose job-duties do not include teaching. The process requires that the Department carry out the recruitment process according to strict Department of Labor standards.

The Regular Labor Certification Process still requires that the department follow the basic steps for Permanent Residency. This means the Department must first get HR approval to support the position for Permanent Residency.

Also, Departments must submit the Enclosure A form of the Permanent Residency Packet and the proposed advertisement and recruitment plan to the Office of International Programs for review before placing any ads. If experience is required for the position, the international applicant must have had that experience before being hired by the University of Mississippi. Experience gained while working for the University of Mississippi cannot be used to satisfy minimum experience requirements unless that experience was gained in a substantially different position.

Basic Recruitment Requirements – To be eligible for Regular Labor Certification, the job position and job search must meet the following requirements set by the U.S. Department of Labor:

- Placement of ad in two Sunday editions of general circulation newspaper in the area of intended employment (Northeast Mississippi Daily Journal). If the position requires experience and an advanced degree, then one advertisement must go into an appropriate academic journal in lieu of one Sunday ad;
- The department must place a 30-day job order with the state employment agency either through the Mississippi Dept. of Employment Security <http://www.mdes.ms.gov> or with a local center such as the Oxford WIN Job Center located at 204 Colonnade Cove, Suite 1, 662-234-3231, oxfordjobcenter@mdes.ms.gov. The job order must be exactly 30 consecutive, calendar days to be considered;
- Department must do an internal posting of the position for ten business days- following Department of Labor specifications (posting notice will be provided by Office of International Programs);
- It must be shown that there were no minimally qualified U.S. citizens or permanent residents available for the position. This means that the job search cannot be used as the basis of support for Permanent Residency if there is even one U.S. citizen or permanent resident who both meets the minimum qualifications and cannot be deselected due to any other reason such as unavailability for intended start date or withdrawal from search
- The University must file the PERM labor application 30 – 180 days after the completion of recruitment steps

Additional Recruitment Requirements - Employers must select **3** other recruitment methods from the following:

- Job fairs
- Employer’s web site
- Job search web site other than the employers (such as Monster.com)
- On-campus recruiting at another campus
- Trade or professional organization recruitment
- Private employment firms
- Employee referral program
- Campus placement offices
- Local and ethnic newspapers
- Radio and television

To be submitted by the Department upon completion of the search:

- Original copies and/or receipts for all advertisement methods, which show dates of advertising
- The internal posting notice of job availability, signed and dated by Department Head that notes the location of the posting notice and the dates of posting (must be ten business days, **not** ten calendar days)
- A signed Recruitment Report from the head of the search committee which outlines the recruitment steps taken (advertising methods, advertising dates, number of total applicants, number of applicants/ candidates, number who were interviewed, reason for non-selection, and reason for selection of the international employee)



• Permanent Residency Enclosure A Form: For the Department •

Please submit the following information. Be sure to type or print clearly.

It is very important that you read the following carefully and not sign anything unless you are in total agreement.

PART 1: POSITION DESCRIPTION. TO BE COMPLETED BY DEPARTMENT CHAIR

- PLEASE ENTER INFORMATION ABOUT POSITION REQUIREMENTS, NOT PROSPECTIVE EMPLOYEE'S QUALIFICATIONS
- ATTACH THE OFFICIAL HUMAN RESOURCES JOB DESCRIPTION, WEB POSTING, AND ANY PROPOSED ADVERTISEMENTS

Hiring Department/ Unit: _____

School/ Division: _____

Primary Worksite Address : _____
(where work is to be performed)

Position Title : _____

Position's minimum degree requirement: _____ Field(s) of study: _____

Position's minimum required training and experience (other than that which would or could have been obtained during the normal course of the degree program listed above). Please specify field of experience and quantify required training and experience in months or years:

List any alternate fields of study or alternate areas of experience that are acceptable:

List minimum requirements for applicants from alternate fields of study or alternate areas of experience:

Description of basic job duties:

Are the job's requirements normal for the occupation? Yes No (If "No," department must justify business necessity for non-normal requirements)

Is knowledge of a foreign language required to perform the basic job duties? Yes No (If "Yes," department must justify language requirement)

List any other specific job skills or other job requirements:

Will the international applicant hold multiple occupations or will the job position require a combination of work sites and duties? Yes **or** No

If "Yes," please provide details of other occupations, work sites, or duties:



Permanent Residency Enclosure A Form: For the Department

PART 1: POSITION DESCRIPTION (CONTINUED)

Proposed Position Salary:
Hours/ Range of hours per week:
There are no additions or deductions from each pay period, nor overtime.
Benefits: (Check all that apply)
Number of employees applicant will supervise (other than students):
Occupational title of person who will be employee's immediate supervisor:
Supervisor's name:
Supervisor's E-mail address:
Supervisor's Phone Number:
Supervisor's Fax Number:

PART 2: PROSPECTIVE EMPLOYEE CONTACT INFORMATION

Prospective PR employee name:
U.S. Social Security # (if any):
Current Mailing Address :
E-mail address:
Phone Number (with country and city code):
Fax Number (with country and city code):



The University of Mississippi

Interoffice Memorandum

DEPARTMENT OF HUMAN RESOURCES

Paul B. Johnson, East

University, MS 38677

Phone: (662) 915-7431 Fax: (662) 915-5836

TO: Mr. Clay Jones, Director of Human Resources

FROM:

DATE:

SUBJECT: HR Approval for US Lawful Permanent Residence

Employee's name, job title, length of employment.

Reason/reasons for supporting petition.

Department Approval: Approve Disapprove

Print Name _____ Date _____

Title (Chair, Director) Department

(After department approval, please forward to Dean's Office)

Dean's Approval: Approve Disapprove

Print Name _____ Date _____

Title (Dean) School

(After Dean's approval, please forward to Provost's Office)

Provost's Approval: Approve Disapprove

Print Name _____ Date _____

Provost and Vice Chancellor Academic Affairs

(After Provost's approval, please forward to Human Resources)

SAMPLE SUPPORT LETTER FROM DEPARTMENT/ PETITIONER NECESSARY FOR ALL PR CASES

USCIS
ATTN: AOS
2501 S. State Highway 121 Business
Suite 400
Lewisville, TX 75067

To Whom It May Concern:

The University of Mississippi wishes to support Permanent Residency on behalf of Dr. Anne Nurmi, a Finnish national, to serve as Assistant Professor in the School of Engineering, Department of Electrical Engineering. This is a permanent position with the University of Mississippi.

The Petitioner

The University of Mississippi was established in 1848 and has 2,355 employees and an operating budget of \$1.69 billion. The Department of Electrical Engineering has an undergraduate and graduate program which is active in externally funded research projects and industrial consulting.

The Beneficiary

Dr. Nurmi graduated from the University of Iowa in August of 1991 with a Ph.D. in Electrical Engineering. She has specialized in advanced electrodynamics. Her research in this field has resulted in presentations of her research at international conferences in Geneva, 1990 and Chicago, 1991. Documentation of this research is enclosed.

Dr. Nurmi's credentials make her particularly well-suited for the current research project of vehicular antenna systems funded by the National Science Foundation.

Terms of Employment

Dr. Nurmi is currently employed as an Assistant Professor of Electrical Engineering, which is a permanent position. She will be compensated at a rate of \$50,000 per year.

Sincerely,

Name and Title of Department Chair

SAMPLE RECRUITMENT REPORT
ONLY FOR LABOR CERTIFICATION, NOT NEEDED FOR EB-1 CASES

United States Department of Labor
Employment and Training Administration
Harris Tower
233 Peachtree Street, Suite 410
Atlanta, GA 30303

To Whom It May Concern:

The Department of Information Technology carried out following steps in its search for the Systems Analyst III position:

Advertised the Systems Analyst III position through the following methods:

1. Posted job opening on the employment section of the Human Resources website of the University of Mississippi (2/1/2007 through 3/1/2007)
2. Advertised on local radio station in Oxford, MS; WOXD-FM on 2/18/2007
3. Posted the job opening in the classified ads section of the Northeast Mississippi Daily Journal for 2 Sunday editions on 2/18/2007 and 2/25/2007
4. Advertised for the position for 30 days at the Win Job Center, Mississippi's state employment agency
5. Posted advertisement at Rust College from 2/16/2007 through 3/17/2007 in the career center/ campus placement office. Rust College is a private, 4-year HBCU located in Holly Springs, MS.
6. Posted Notice of Job Availability within the Department of Media Productions from 4/15/2007 until 4/27/2007.

The search resulted in a total of 11 applicants for the position. The search committee used a two stage screening process, which is the hiring process recommended by the University Department of Human Resources. The first stage of screening checked whether applicants met the posted minimum job qualifications. During the second stage of screening, the search committee rated the candidates based on the minimum skills requirements that were advertised. The search committee de-selected 6 applicants during the first stage of screening because the applicants did not meet the minimum advertised requirement of 2 years of experience related to the duties of the position.

The remaining five candidates who met the minimum qualifications were contacted for interviews. Of the five candidates, one candidate declined the interview, one candidate did not respond to numerous interview requests, one candidate was not available for hire until months after the intended start date for the position, and one candidate terminated the interview due to dissatisfaction with proposed salary.

The search committee selected (INTERNATIONAL CANDIDATE'S NAME) as the only qualified candidate for the position of Systems Analyst III on May 9, 2007 and recommended his immediate hire.

If you have any questions or concerns related to this search, please feel free to contact me.

Sincerely,

Name and Title of Chair of Search Committee

**The University of Mississippi
Request for Payment**

To: Procurement Services

From: _____

e-mail _____

Date: _____

Payment to: DEPARTMENT OF HOMELAND SECURITY

USCIS – TEXAS SERVICE CENTER

2501 S. STATE HIGHWAY 121, BUSINESS SUITE 400

DALLAS, TX 75227

<u>Cost Center/Internal Order</u>	<u>G/L Code</u>	<u>Amount</u>
_____	55760	\$580
_____	_____	_____
_____	_____	_____

Purpose: **I-140 FILING FEE FOR PERMANENT RESIDENCY PETITION. CHECK**

SHOULD BE SENT TO OFFICE OF INTERNATIONAL PROGRAMS,

331 MARTINDALE, ATTENTION TO TAYLA BURNS.

Information to be included on check stub:

Reference: (International Employee's Name)

(Maximum of 16 characters)

Text: _____

Signatory Officer: _____ Document Number: _____

NOTE: Please include a copy of the Enclosure A and support letter with the check request.



The University of Mississippi

Interoffice Memorandum

OFFICE OF INTERNATIONAL PROGRAMS

331 Martindale

University, MS 38677

Phone: (662) 915-7404 Fax: (662) 915-7486

TO: Procurement Services

FROM: Tayla Burns, International Programs Advisor
Office of International Programs

DATE: March 1, 2011

SUBJECT: FILING FEES FOR I-140 – PERMANENT RESIDENCY PETITION

The Department of Labor has determined that when filing for Permanent Residency status on behalf of an international employee, the University of Mississippi should pay the USCIS filing fee for the related paperwork (USCIS form I-140).

There are two possible filing fees associated with a Permanent Residency Petition. As of November 23, 2010, the filing fees are:

1. Standard filing fee for the I-140 (necessary for *all* PR Petitions) - **\$580**
2. Optional Premium Processing fee (for expedited processing) - **\$1225**

The following guidelines are given by the USCIS for payment preparation:

- The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency. Do not mail cash.
- Make the check or money order payable to:

**Department of Homeland Security
USCIS - Texas Service Center
2501 S. State Highway 121
Lewisville, TX 75067**

When the check or money order is ready, it should be returned to Tayla Burns in the Office of International Programs, NOT the USCIS. A check sent directly to the USCIS will be returned and will cause delays in the application process.



Permanent Residency Enclosure B Form: For the Applicant

Please submit all of the following information. Be sure to type or print clearly

DO NOT STAPLE ANY DOCUMENTS TOGETHER

PERMANENT RESIDENCY APPLICANT DEMOGRAPHIC INFORMATION

NAME AND RESIDENCE INFORMATION:

Full Name (as it appears in your passport): Family Name (Surname) Given Name (First) Middle Name (if any)

All other names used: (Include maiden name and names from all previous marriages)

Residential Address Inside the U.S.:

Residential Address Outside of the U.S.:

Work Phone Number: Home Phone Number:

E-mail address: Phone Number:

Place of Birth (required): City Province/ State Country

Residence Information (required): Country of Citizenship Country of Permanent Residence

Date of Birth (Month/ Day/ Year): Gender:

US VISA HISTORY INFORMATION:

Please list all time in the US in non-immigrant visa status. If more space is needed, please attach a separate page for your visa history.

- 1. Immigration Status (i.e. F-1, J-1, H-4): Dates of Stay (Month/ Day/ Year): through
2. Immigration Status (i.e. F-1, J-1, H-4): Dates of Stay (Month/ Day/ Year): through
3. Immigration Status (i.e. F-1, J-1, H-4): Dates of Stay (Month/ Day/ Year): through

Have you ever been in the United States on a J Visa (J-1 or J-2)? YES or NO.

Are you subject to the 212(e), Two-Year Home Residency Requirement (only possible if currently or previously on J-Visa)? YES or NO.

If subject to 212(e), Two-Year Home Residency Requirement what is your current status? (Please Check One)

- Applied for waiver
Received waiver (Please Include Proof of Waiver)
Completed requirement in home country
None of the above

Do you have any other pending immigrant petitions (Permanent Residency Applications)? YES or NO.



Permanent Residency Enclosure B Form: For the Applicant

IMMIGRATION INFORMATION

Passport #: Passport Country:
Passport Issue Date (Month/ Day/ Year):
Passport Expiry Date (Month/ Day/ Year):
[Please note that passports must be renewed at least 6 months prior to their expiration date]
U.S. Social Security # (if any):
A # (Alien number is listed on EAD Cards, OPT Cards, and on any I-140 or I-485 Notices) :
Which U.S. Consulate or Embassy is closest to your place of residence in your home country?
City (outside of the U.S.): Country:
Current Non-Immigrant Visa Status (i.e. F-1, J-1, H-1B) :
Date Current Visa Status Expires (Month/ Day/ Year):
Date of Last Arrival (Stamped on I-94 Card) (Month/ Day/ Year):
I-94 # (Eleven Digit Number at Top of White Card in Passport):

UNIVERSITY OF MISSISSIPPI POSITION INFORMATION

(Please provide contact information about your intended employer at the University of Mississippi)

UM Academic Department: Supervisor's Name:
Supervisor's Phone Number: E-mail address:

EDUCATION BACKGROUND

EDUCATION:

Highest Level of Education Achieved: Major field of study/concentration:
Year of Degree Completion/Graduation:
Name of Institution from which Degree was received:
Address of Institution:

FAMILY INFORMATION: LIST INFO FOR SPOUSE AND EACH CHILD (EVEN U.S. BORN DEPENDENTS)

Table with 4 columns: NAME (First/ Middle/ Last), Relationship, Date of Birth (mm/ dd/ yyyy), Country of Birth. Contains 4 empty rows for data entry.



Permanent Residency Enclosure B Form: For the Applicant

WORK HISTORY

List all jobs held during the past three years. Also list any other experiences that meet job requirements. Use multiple pages if necessary.

Job 1:

Employer Name: Type of Business:

Address of Employer:

Supervisor's Name: Business Phone Number:

Employment Start Date (Month/ Day/ Year): Employment End Date (Month/ Day/ Year):

Number of Hours Worked Per Week:

Job Title:

Job Description (include duties performed, use of tools, machines, equipment, computers programs, skills, qualifications, certifications, licenses, etc.)

Job 2:

Employer Name: Type of Business:

Address of Employer:

Supervisor's Name: Business Phone Number:

Employment Start Date (Month/ Day/ Year): Employment End Date (Month/ Day/ Year):

Number of Hours Worked Per Week:

Job Title:

Job Description (include duties performed, use of tools, machines, equipment, computers programs, skills, qualifications, certifications, licenses, etc.)

PERMANENT RESIDENCY PROCESSING & CONCURRENT PROCESSING

Please indicate your preference for obtaining your final approval of Permanent Residency

- I will file an I-485 for myself and all dependent family members to change status and obtain a Green Card from within the United States
I will process my Permanent Residency by Consular Processing and will travel abroad to a U.S. Consulate or Embassy to become a Permanent Resident

Will you be filing any forms for concurrent processing with the University's I-140 (i.e. simultaneous filing)? YES or NO.

If yes, indicate which forms you will be concurrently filing: I-485, I-765 EAD Card Application, and/or I-131 Advanced Parole Document



• Permanent Residency Enclosure B Form: For the Applicant •

BASIC SUPPORTING DOCUMENTATION – REQUIRED OF ALL PR APPLICANTS

PLEASE INCLUDE THE FOLLOWING SUPPORTING DOCUMENTS AND RETURN TO OFFICE OF INTERNATIONAL PROGRAMS.

DO NOT STAPLE ANY DOCUMENTS TOGETHER

- Curriculum Vita/ Resume which includes current address, home country address, statement of work history, and list of publications
Copy of all university-level academic degrees, diplomas, and transcripts/mark sheets.
Diplomas and transcripts/mark sheets do not have to be originals
On the back of each photocopy, sign a statement that says "This is a true photocopy and originals are available upon request."
Documents not in English must be translated by someone competent to do so (See attached translation certificate on last page of PR Packet)
Degrees or documents issued by non-U.S. institutions will have to have a foreign credential evaluation processed by International Programs
Copy of Passport Identification Pages (Full-page photocopies ONLY. Do not cut the photocopy to the shape of the passport)
Copies of I-94 Card (FRONT AND BACK)
Copies of current/ most recent Visa Stamp
Copies of all previous I-20's, DS-2019's, IAP-66's, and H-1B or H-4 I-797 Approval Notices
Proof of I-612 waiver of 212(e) Two-Year Home Residency Requirement if currently or previously on J-Visa

EVIDENCE OF EB-1 OUTSTANDING PROFESSOR AND RESEARCHER

PLEASE INCLUDE THE FOLLOWING SUPPORTING DOCUMENTS AND RETURN TO OFFICE OF INTERNATIONAL PROGRAMS.

DO NOT STAPLE ANY DOCUMENTS TOGETHER

An EB-1 applicant can establish eligibility as an outstanding professor or researcher by developing and submitting documentation in at least two (preferably three) of the categories listed below:

- Receipt of major prizes or awards for outstanding achievement in the field of endeavor;
Membership in associations in the academic field which require their members to demonstrate outstanding achievements to become a member;
Published material in professional publications written by others about the alien's work in the academic field. Such evidence should include title, date, and author of the publication and any necessary translations;
Participation, either on a panel or individually, as a judge of the work of others in the same or allied academic field;
Original scientific, scholarly, or business-related contributions in the field (as shown by letters of attestation and support from colleagues and other experts in the field; letters should be accompanied by CV's or Resumes);
Authorship of scholarly books or articles (in scholarly journals with international circulation) in the academic field.

EB-1 applications do not require Labor Certification by the Department of Labor.

EVIDENCE OF EB-2 ALIENS OF EXCEPTIONAL ABILITY IN THE SCIENCES, ARTS, OR BUSINESS

PLEASE INCLUDE THE FOLLOWING SUPPORTING DOCUMENTS AND RETURN TO OFFICE OF INTERNATIONAL PROGRAMS.

DO NOT STAPLE ANY DOCUMENTS TOGETHER

An EB-2 applicant can establish eligibility as an alien of exceptional ability in the sciences, arts, or business by developing and submitting documentation in at least three (preferably four) of the categories listed below:

- An official academic record showing that the applicant has a degree, diploma, certificate, or similar award from an institution of learning relating to the area of exceptional ability;
Evidence in the form of letters from current or former employers showing that the applicant has at least ten years of full-time experience in the occupation;
A license to practice the profession or certification for a particular profession or occupation;
Evidence that the applicant has either commanded a salary or other remuneration for services, as shown by contracts or letters of employment, which demonstrates exceptional ability;
Membership in professional associations;
Evidence of recognition for achievements and significant contributions to the industry or field by peers, governmental entities, or professional or business organizations.
EB-2 applications require Labor Certification by the Department of Labor.



**TRANSLATION CERTIFICATION
OF FOREIGN LANGUAGE DOCUMENTS:**

TRANSLATION MUST BE NOTARIZED

(DATE, i.e. May 30, 2007)

USCIS
ATTN: AOS
2501 S. State Highway 121
Business Suite 400
Lewisville, TX 75067

To Whom It May Concern:

I, _____ (Enter Your Full Name) _____, hereby certify that I am competent to translate this document from the _____ Language into English.

I also certify that the attached translation is an accurate translation of the original document.

(SIGNATURE)

Full Name of Translator (Typed or Printed)
Translator's Job Title
Mailing Address