Rutgers, The State University of New Jersey

Instructions For Preparing Employment-Based Preference Petition and Attachments Based on an Approved Permanent Alien Labor Certification

(Please submit all documents in original plus one photocopy of each)

1. **Form I-140**: download and print from USCIS website at [http://www.uscis.gov/files/form/i-140.pdf](http://www.uscis.gov/files/form/i-140.pdf)
   
   *One original only* plus $580 filing fee in the form of a university check payable to “Dept. of Homeland Security.” (See attached sample. In part 2, check box “d.”)

2. Attach to the form a check or money order for $580* made out to “Dept of Homeland Security” (in RIAS). **NOTE:** for the “vendor address” in RIAS, put: “USCIS Texas Service Center Mesquite, TX 75185”

3. **Form I-907**: This form is optional and only necessary if you are seeking “Premium Processing” service to expedite the processing of form I-140. For an additional $1225 USCIS guarantees a response in 15 days from the date USCIS receives the I-140 petition. Please note, the $1225 fee is not the University’s responsibility. Form I-907 is downloadable at: [http://www.uscis.gov/files/form/i-907.pdf](http://www.uscis.gov/files/form/i-907.pdf) (Please check with the Newark Coordinator for eligibility to use this service)

4. Enclose a letter from the chairperson to “U.S Citizenship and Immigration Services, Texas Service Center, Mesquite TX 75185.” The letter must include confirmation of a permanent job offer, job title and responsibilities, qualifications for the job and current salary. Remember that these must be exactly the same job title, responsibilities and job qualifications which were listed on the PERM labor certification application (as noted on the “Notice of Filing Permanent Alien Labor Certification”). The only acceptable change to the position is that the salary may be higher now that at the time you filed the PERM. (Submit original and one photocopy).

5. Attach a recent CV and evidence of whatever degrees, credentials and/or qualifications that were listed as “required” on your PERM labor certification advertisement. **Do not submit original diplomas or documents at this time; submit only your original certified and/or translated notarized copies (as explained below) plus one photocopy of each document.**

   **Certify copies:** All photocopies submitted as evidence of your credentials must contain the following notation with your signature and the date: “Copies of documents submitted are exact photocopies of unaltered original documents and I understand that I may be required to submit original documents to an immigration or consular official at a later date.”
Translate foreign language documents: All foreign language documents must be accompanied by a certified translation. A certified translation is one on which the translator has written, "I certify that I am competent in both English and ___ languages and that this is a true and accurate translation of the attached document." The translator then signs and dates this statement in the presence of a notary public, who then notarizes the signature.

6. Hand deliver everything to the Office of the Newark Coordinator for International Faculty. USCIS’s response time fluctuates, but it is currently about 6 months or longer.

7. To shorten delays caused by excessive USCIS backlogs, the USCIS currently allows aliens whose priority dates are current (see explanation below) to file any or all of the forms listed below if they choose to. The forms may be filed at any time after the employer has received from the USCIS a “Notice of Receipt” for the I-140 petition it filed on the alien’s behalf; the Newark Coordinator generally gets receipts about 3 weeks after mailing g the I-140 petition to USCIS. Note: If the alien chooses to file any of the forms listed below, he or she must submit them to USCIS with a photocopy of the employer’s “Notice of Receipt” of the I-140 petition, available from the Office of the Newark Coordinator for International Faculty.

- **I-485**, Application for Permanent Residence (for alien, alien’s spouse, an children under 21). Filing fee is currently $1070* per I-485 submitted. Once filed, the dependents cannot travel abroad without “Advance Parole” until the green card is approved. The form is available online at [http://www.uscis.gov/files/form/i-485.pdf](http://www.uscis.gov/files/form/i-485.pdf)


- **I-765**, Application for Employment Authorization (currently $380 fee*). Permits unrestricted employment authorization for those with pending I-485 applications for 12 months at a time, or until I-485 application is adjudicated. The form is available online at [http://www.uscis.gov/files/form/i-765.pdf](http://www.uscis.gov/files/form/i-765.pdf)
All three forms are the alien’s (not Rutgers’) applications, and as such Rutgers is not legally authorized to advise on them. Many Rutgers-sponsored employees have found the forms simple enough to file without assistance; others have chosen to hire (and pay for) an immigration attorney to assist. Either way, please note that there are both advantages and risks to filing the above forms.

**Explanation of “Priority Dates”:** Individuals are NOT permitted to file the “green card” application (Form I-485 or any of the other forms (I-131 or I-765) until their “priority date” is “current.”

A “priority date” is similar to a place in line – you first have to reach the front of the line in order to obtain what you have been standing in line for. Similarly, an individual’s “priority date” (place in line) must be “current” (front of line) in order for him or her to be eligible to file the I-485 application. Alien’s are assigned a “priority date” (place in line) based on a number of factors, including what category I-140 was filed on what the alien’s country of birth is.

Since USCIS’s I-485 backlogs are so great, it is very common for a “priority date” to become Current before the I-140 (employer’s petition) is even approved, and thus, if an alien filed an I-485 shortly after the Newark Coordinator’s Office received its I-140 receipt notice, the I-485 could very possibly be approved concurrently with or very shortly after Rutgers Receives the I-140 approval on the case.

However, when there are more green card applicants from specific countries than there are permanent visas allotted to that country, that country’s allotment is considered “oversubscribed” and individuals from those countries must “wait in line” for their priority date to become current.

To determine your own “priority date” check information updated each month by the State Department on the internet at [http://travel.state.gov/visa/bulletin/bulletin_1360.html](http://travel.state.gov/visa/bulletin/bulletin_1360.html) – Look for “Employment Based” visas, 2nd category.” Unless your country of birth is specifically mentioned, the date you want is the “worldwide” date (sometimes called “all chargeability areas”).

**Important Note:** At some point after your preference petition has been approved, you will receive a letter from the National Visa Center (Portsmouth, NH) requesting you notify that center as to whether you will “adjust status” at a local USCIS office or, instead, apply for the permanent visa at the U.S. embassy or consulate in your home country. You should make this decision carefully.
* Department of Homeland Security filing fees and forms have recently changed (and they do change frequently) – the alien should obtain the most current version of each form via the links provided earlier in this document or by visiting the USCIS website at http://www.uscis.gov

Revised February 2013
**Sample I-140**

**Page 1 of 6**

**Immigrant Petition for Alien Worker**

Department of Homeland Security  
U.S. Citizenship and Immigration Services

**USCIS**  
OMB No. 1615-0015  
Expires 01/31/2013

<table>
<thead>
<tr>
<th>For Use Only</th>
<th>Fee Stamp</th>
<th>Priority Date</th>
<th>Consulate</th>
<th>Action Block</th>
</tr>
</thead>
<tbody>
<tr>
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</table>

**Classification**

- [ ] 203(b)(1)(A) Alien of Extraordinary Ability
- [ ] 203(b)(2) Member of Professions with Advanced Degree/Exceptional Ability
- [ ] 203(b)(3)(A)(i) Skilled Worker
- [ ] 203(b)(3)(A)(ii) Professional Executive or Manager
- [ ] 203(b)(3)(A)(iii) Other Worker

**Certification**

- [ ] National Interest Waiver (NIW)
- [ ] Schedule A, Group 1
- [ ] Schedule A, Group II

**Remarks**

► **START HERE - Type or print in black ink.**

### Part 1: Information About the Person or Organization Filing This Petition (if an individual is filing, use numbers 1.a. - 1.e. If a Company or Organization is filing, use number 2).

1.a. **Family Name**  
   (Last Name)  
   *N/A*

1.b. **Given Name**  
   (First Name)  
   *N/A*

1.c. **Middle Name**  
   *N/A*

2. **Company or Organization Name**

**Other Information**

3. **IRS Tax Number**  
   ![226001086](image)

4. **U.S. Social Security Number (if any)**

5. **E-mail Address (if any)**

### Part 2: Petition Type

This petition is being filed for: (Select only one box):

- [ ] 1.a. An alien of extraordinary ability.
- [ ] 1.b. An outstanding professor or researcher.
- [ ] 1.c. A multinational executive or manager.
- [ ] 1.d. A member of the professions holding an advanced degree or an alien of exceptional ability (who is NOT seeking a National Interest Waiver).
- [ ] 1.e. A professional (at a minimum, possessing a bachelor's degree or a foreign degree equivalent to a U.S. bachelor's degree).
- [ ] 1.f. A skilled worker (requiring at least 2 years of specialized training or experience).

- [ ] 1.g. Any other worker (requiring less than 2 years of training or experience).
- [ ] 1.h. (Reserved)
- [ ] 1.i. An alien applying for a National Interest Waiver (who is NOT a member of the professions holding an advanced degree or an alien of exceptional ability).

Check below if this petition is being filed:

- [ ] 2.a. To amend a previously filed petition.  
  Previous Petition Receipt Number:

- [ ] 2.b. For the Schedule A, Group I or II designation.

**Mailing Address**

6.a. **In Care of Name**  
    Sallie Kasper Assistant Dean

6.b. **Street Number and Name**  
    360 Dr MLK Boulevard

6.c. **Apt.**  
    **Ste.**  
    **Flr.**  
    *X* 325

6.d. **City or Town**  
    Newark

6.e. **State**  
    NJ

6.f. **Zip Code**  
    07102

6.g. **Postal Code**

6.h. **Province**

6.i. **Country**  
    USA
### Part 3: Information About the Person for Whom You Are Filing

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
</table>
| 1.a. | Family Name  
(Last Name) |
| 1.b. | Given Name  
(First Name) |
| 1.e. | Middle Name |
| 2.a. | In Care of Name |
| 2.b. | Street Number  
and Name |
| 2.c. | Apt.  
St.  
Flr. |
| 2.d. | City or Town |
| 2.e. | State  
2.f. | Zip Code |
| 2.g. | Postal Code |
| 2.h. | Province |
| 2.i. | Country |
| 7. | State/Province of Birth |
| 8. | Country of Birth |
| 9. | Country of Citizenship |
| 10. | Country of Nationality |
| 11. | Alien Registration Number (A-Number) |
| 12. | U.S. Social Security Number (if any) |
| 13. | Date of Arrival (mm/dd/yyyy)  
(Most recent) |
| 14. | Arrival-Departure Record Number (I-94)  
(Most recent) |
| 15. | Current Nonimmigrant Status |
| 16. | Date Status Expires:  
(mm/dd/yyyy) |

If in the United States, please provide the following:

**Please provide copy of I-94 card and H-1B approval notice**

### Part 4: Processing Information

Complete the following for the person named in Part 3:  
(Check one)

1.a. Alien will apply for a visa abroad at a U.S. Embassy  
or consulate at:

- City or Town
- Country

1.b. Alien is in the United States and will apply for  
adjustment of status to that of lawful permanent  
resident.

Alien's country of current residence or, if now in the  
United States, last country of permanent residence  
abroad.
Part 4: Processing Information (continued)

If you provided a United States address in Part 3, provide the person's foreign address:

2.a. Street Number and Name
2.c. City or Town
2.d. Postal Code
2.e. Province
2.f. Country

If the person's native alphabet is other than Roman letters, write the person's foreign name and address in the native alphabet:

3.a. Family Name (Last Name)
3.b. Given Name (First Name)
3.c. Middle Name

Mailing Address:

3.d. Street Number and Name
3.f. City or Town
3.g. Postal Code
3.h. Province
3.i. Country

If you answered "Yes," check any applicable boxes:

☐ Form I-485
☐ Form I-131
☐ Form I-765
☐ Other-Attach an explanation

4. Are any other petition(s) or application(s) being filed with this Form I-140? □ Yes □ No

5. Is the person for whom you are filing in removal proceedings? □ Yes - Attach an explanation □ No

6. Has any immigrant visa petition ever been filed by or on behalf of this person? □ Yes - Attach an explanation □ No

7. Is the petition being filed without an original labor certification because the original labor certification was previously submitted in support of another Form I-140? □ Yes - Attach an explanation □ No

8. If the petition is being filed without an original labor certification, are you requesting that USCIS request a duplicate labor certification from the Department of Labor? □ Yes - Attach an explanation □ No

If you answered "Yes" to any of questions 4 through 8, provide the case number, office location, date of decision, and disposition of the decision on a separate sheet of paper.

Part 5: Additional Information About the Petitioner

Type of petitioner (Select only one box):

1.a. □ Employer
1.b. □ Self
1.c. □ Other (Explain, e.g., Permanent Resident, U.S. citizen or any other person filing on behalf of the alien)

If a company, give the following:

2.a. Type of Business
   Public University
2.b. Date Established (mm/dd/yyyy)

2.c. Current Number of U.S. Employees
   APPROX. 10,000
2.d. Gross Annual Income
   0.00
2.e. Net Annual Income
   0.00
2.f. NAICS Code
   ▶ 611310
2.g. Labor Certification DOL/ETA Case Number
   Leave blank
Part 5. Additional Information About the Petitioner (continued)

2.h. Labor Certification DOL/ETA Filing Date
(mmm/dd/yyyy) ▶

2.i. Labor Certification Expiration Date
(mmm/dd/yyyy) ▶

2. Leave blank

3. If an individual, give following:
3.a. Occupation

3.b. Annual Income

Part 6. Basic Information About the Proposed Employment

1. Job Title

2. SOC Code ▶

3. Non-technical Description of Job

4. Is this a full-time position? □ Yes □ No

5. If the answer to Number 4 is "No," how many hours per week for the position?

6. Is this a permanent position? □ Yes □ No

7. Is this a new position? □ Yes □ No

8. Wages: $ _____ per _____
(Specify hour, week, month, or year)

Address where the person will work if different from address in Part 1.
9.a. Street Number and Name


9.c. City or Town


9.f. Postal Code

9.g. Province

9.h. Country

Part 7. Information on Spouse and All Children of the Person for Whom You Are Filing

List husband/wife and all children related to the individual for whom the petition is being filed. Also, note if the individual will be applying for a visa abroad or for adjustment of status as the dependant of the individual for whom the petition is filed. Provide an attachment of additional family members, if needed.

Person 1

1.a. Family Name (Last Name)

1.b. Given Name (First Name)

1.c. Middle Name

1.d. Date of Birth (mmm/dd/yyyy) ▶

1.e. Country of Birth

1.f. Relationship

1.g. Applying for Adjustment of Status? □ Yes □ No

1.h. Applying for Visa Abroad? □ Yes □ No

Person 2

2.a. Family Name (Last Name)

2.b. Given Name (First Name)

2.c. Middle Name

2.d. Date of Birth (mmm/dd/yyyy) ▶

2.e. Country of Birth

2.f. Relationship

2.g. Applying for Adjustment of Status? □ Yes □ No

2.h. Applying for Visa Abroad? □ Yes □ No
### Part 7. Information on Spouse and All Children of the Person for Whom You Are Filing (continued)

<table>
<thead>
<tr>
<th>Person 3</th>
<th>Person 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.a. Family Name (Last Name)</td>
<td>5.a. Family Name (Last Name)</td>
</tr>
<tr>
<td>3.b. Given Name (First Name)</td>
<td>5.b. Given Name (First Name)</td>
</tr>
<tr>
<td>3.c. Middle Name</td>
<td>5.c. Middle Name</td>
</tr>
<tr>
<td>3.d. Date of Birth (mm/dd/yyyy)</td>
<td>5.d. Date of Birth (mm/dd/yyyy)</td>
</tr>
<tr>
<td>3.e. Country of Birth</td>
<td>5.e. Country of Birth</td>
</tr>
<tr>
<td>3.f. Relationship</td>
<td>5.f. Relationship</td>
</tr>
<tr>
<td>3.g. Applying for Adjustment of Status? ☐ Yes ☐ No</td>
<td>5.g. Applying for Adjustment of Status? ☐ Yes ☐ No</td>
</tr>
<tr>
<td>3.h. Applying for Visa Abroad? ☐ Yes ☐ No</td>
<td>5.h. Applying for Visa Abroad? ☐ Yes ☐ No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Person 4</th>
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</tr>
</thead>
<tbody>
<tr>
<td>4.a. Family Name (Last Name)</td>
<td>6.a. Family Name (Last Name)</td>
</tr>
<tr>
<td>4.b. Given Name (First Name)</td>
<td>6.b. Given Name (First Name)</td>
</tr>
<tr>
<td>4.c. Middle Name</td>
<td>6.c. Middle Name</td>
</tr>
<tr>
<td>4.d. Date of Birth (mm/dd/yyyy)</td>
<td>6.d. Date of Birth (mm/dd/yyyy)</td>
</tr>
<tr>
<td>4.e. Country of Birth</td>
<td>6.e. Country of Birth</td>
</tr>
<tr>
<td>4.f. Relationship</td>
<td>6.f. Relationship</td>
</tr>
<tr>
<td>4.g. Applying for Adjustment of Status? ☐ Yes ☐ No</td>
<td>6.g. Applying for Adjustment of Status? ☐ Yes ☐ No</td>
</tr>
<tr>
<td>4.h. Applying for Visa Abroad? ☐ Yes ☐ No</td>
<td>6.h. Applying for Visa Abroad? ☐ Yes ☐ No</td>
</tr>
</tbody>
</table>

### Part 8. Signature of Petitioner

I certify, under penalty of perjury under the laws of the United States of America, that this petition and the evidence submitted with it are all true and correct. I authorize U.S. Citizenship and Immigration Services (USCIS) to release to other government agencies any information from my USCIS records, if USCIS determines that such action is necessary to determine eligibility for the benefit sought.

1.a. Signature of Petitioner

[Do not sign]

1.b. Date of Signature (mm/dd/yyyy)

<table>
<thead>
<tr>
<th>2. Daytime Phone Number (973) 352-5213</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. E-mail Address (if any) <a href="mailto:sakaspe@andromeda.rutgers.edu">sakaspe@andromeda.rutgers.edu</a></td>
</tr>
<tr>
<td>4. Job Title of Position with Petitioning Employer, If the Petition Is Being Filed by an Employer Assistant Dean</td>
</tr>
</tbody>
</table>

NOTE: If you do not fully complete this form or fail to submit the required documents listed in the instructions, a final decision on your petition may be delayed or the petition may be denied.
**Part 9: Signature of Person Preparing This Petition, If Other Than the Petitioner**

1. Attorney or Representative: In the event of a Request for Evidence (RFE), may USCIS contact you by e-mail?  
   - [ ] Yes  
   - [x] No

**Preparer's Full Name**

Provide the following information concerning the preparer:

2.a. Preparer's Family Name (Last Name)  

2.b. Preparer's Given Name (First Name)  

3. Preparer's Business or Organization Name  

**Preparer's Contact Information**

4. Preparer's Daytime Phone Number  
   ( ) - 

5. Preparer's E-mail Address (if any)  

**Preparer's Mailing Address**

6.a. Street Number and Name  

   - [ ] Ste.  
   - [ ] Flr.  

6.c. City or Town  

6.d. State  

6.e. Zip Code  

6.f. Postal Code  

6.g. Province  

6.h. Country  

**Declaration**

To be completed by all preparers, including attorneys and authorized representatives: I declare that I prepared this petition at the request of the petitioner, that it is based on all the information of which I have knowledge, and that the information is true to the best of my knowledge.

7.a. Signature of Preparer  

7.b. Date of Signature (mm/dd/yyyy)  

April 13, 2010

U.S. Citizenship and Immigration Services
Texas Service Center
Mesquite, TX 75185

Dear Sirs and Madams:

I am writing to support the application of [redacted] for Permanent Residency status in the United States.

The position requires an authority in the area of [redacted] and [redacted]. A Ph.D. in [redacted] is required as well as a demonstrated capacity to teach and do research in these areas.

Ms. [redacted] has been awarded her Ph.D. by New York University in June 2009. Her dissertation is entitled “Essays on the Intergenerational Transmission of Status,” written under the supervision of Professor Debraj Ray. Using data from the Panel Study of Income Dynamics, she estimates a model of parents’ human capital investments in their children to assess why black sons experience a lower probability of upward mobility with respect to their fathers’ incomes than do their white counterparts. Her results find that variations in parental incomes during childhood, caused by the instability of families and temporary income shocks, can generate the observed mobility gap between blacks and whites. Eliminating these differences in parental income would imply eventual convergence of black and white men’s average earnings over time, while continuing differences perpetuate the mobility gap which will cause mean earnings of blacks to fall further relative to the earnings of whites.

In related work, titled “Parental Aspirations and Social Effects,” she again uses data from the Panel Study of Income Dynamics to separate the effects of parental aspirations for their children from peer-group effects on children’s reading and mathematics test scores. Controlling for income, parents’ education and grandparent characteristics, she finds that peer-group effects (that is, pressures of conformity) matter more for black children than for white children. This has implications for the intergenerational transmission of parental aspirations for their children.

In the paper “The Power of Exports” (which is joint work with William Easterly and Ariel Reshef), she documents the remarkably high degree of concentration in manufacturing exports for a sample of 151 countries over a range of 3,000 products. For every country, manufacturing exports are dominated by a few “big hits” which account for most of a country’s export value and volume. The distribution of exports is shown to closely follow a power law, especially in the upper tail of the distribution. The implication of these findings is that a policy of “picking winners” for export development would not be a successful development strategy. Moreover, given the size of the
economy, developing countries are more exposed to demand shocks than rich ones, which further lowers the benefits from trying to pick winners.

Ms. [Redacted] has been gaining a national and international reputation for her work. She presented the results of her recent development research in the applied [Redacted] seminar series at New York University in fall 2008 and at the Bocconi Graduate Student Workshop in Florence, Italy in summer 2005. This past summer she also presented her work at a conference in Buenos Aires, Argentina.

At Rutgers, Ms. [Redacted] is now teaching both undergraduate and graduate courses in her specialty of [Redacted]. In addition, she also teaches [Redacted] and [Redacted] to our undergraduate students. At New York University as a graduate student, she had extensive teaching experience in all of these subjects.

The [Redacted] Department believes that Ms. [Redacted] continued employment with us is of the greatest importance and will contribute substantially to our efforts to achieve and maintain excellence in teaching and research.

Sincerely yours,

[Redacted]

Professor and Chairperson
Department of [Redacted]