



# E-3 DEPARTMENT CHECKLIST

Scholar Name:	Liaison Name:
Scholar DOB:	Liaison Email:

### Required Department Forms

- **Prevailing Wage Determination Form** (including instructions) **with original Job Advertisement**
  - The job duties listed on this form must appear identically in the section of the Department Support Letter that speaks to job duties. Please be as detailed as possible.
  - The job title must also be identical across all of the documentation provided.
  - A digital signature is allowed on the form.
- **NYU Actual Wage Determination Form**
  - A digital signature is allowed on the form.
- **Department Support Letter**
  - The job description should be identical to the wording on the Prevailing Wage Determination Form.
  - Send a draft of the letter (word document) for OGS review.
  - OGS will send back to liaison for review, approval, and a wet signature.
- **E-3 Fees in separate checks**
  - **Checks payable to:** United States Department of Homeland Security.
  - **Address on checks:** Consult with OGS on appropriate address.
  - **All checks should be requested through AP-iBuy. Use handling code TP to have checks delivered directly to OGS. Do not send checks to USCIS. If the foreign national is paying the fee(s), notify Scholar Services.**
  - **Fees in separate checks:**
    - **\$460:** I-129 Petition fee (can be paid by NYU or scholar\*) - Required for all cases
    - **\$2500:** Premium Processing fee if requested (can be paid by NYU or scholar\*)
    - \*Scholar can only pay these fees if it will not bring the annual salary down lower than minimum prevailing wage for the position (consult with OGS)
- **Request for Premium Processing**
  - A digital signature is allowed on the form.
- **Signed Checklist/Attestation**
  - A digital signature is allowed on the form.
- **Signed Offer Letter**

### Checklist of Required Documents

**Prevailing Wage Determination Form with original Job Advertisement**

**NYU Actual Wage Determination Form**

**Draft of Department Support Letter**

**E-3 Fees in separate checks (only for case filed via petition with USCIS)**

**Request for Premium Processing**

**Signed Checklist/Attestation**

**Signed Offer Letter**



**ATTESTATION - PROCESSING/IMPORTANT INFORMATION**

**E-3 cases filed via petition with USCIS have the following components:**

1. Collection of all required documents.
2. U.S. Department of Labor approval of the Labor Condition Application (LCA). *Generally 7 day processing time.*
3. Review and approval of E-3 petition by the U.S. Citizenship and Immigration Services\*\* (USCIS). *Timeframe dependent on [premium processing](#) or [regular processing times](#).*

Pursuant to 8 C.F.R. §214.2(h)(9)(i)(B), the E-3 petition may not be submitted to the USCIS more than six months prior to the employment state date. Due to the various components involved, the amount of time required to prepare each petition can vary. On average, it can take anywhere between 3-6 months to process. This depends on the priority level of the case and if OGS receives all of the information needed in order to proceed with filing the E-3 petition in a timely manner.

Effective February 24, 2021, USCIS offers premium processing services for E-3 petitions. Please refer to the Premium Processing Request Form for more information on premium processing.

\*\* Please note that every E-3 filing carries with it the risk for Request for Additional Evidence (RFE), Notice of Intent to Deny (NOID), or an outright denial. While NYU OGS has been very successful in ultimately obtaining approvals, it is important to note the possible USCIS adjudication option.

**Acquiring E-3 status from abroad has the following components:**

1. Collection of all required documents.
2. U.S. Department of Labor approval of the Labor Condition Application (LCA). *Generally 7 day processing time.*
3. Foreign National applies for and is approved for E-3 visa at U.S. Consulate/Embassy abroad, then applies for admission to the U.S. in E-3 status at US port of entry.

Please note that OGS cannot file the LCA until they receive both the Prevailing Wage Determination Form and the Actual Wage Determination form. Since the certification process generally takes 7 days, it is crucial that these forms are submitted as soon as possible. Delays in submitting required forms will lead to processing delays and potential loss of work authorization for the Foreign National.

I have read and understood the processing and travel information provided above.

I attest that all the information provided in this packet and to OGS is correct and accurate to the best of my knowledge.

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

*Dept. Administrator/HR Administrator/Chair, etc. signature requested.  
The signature may be anyone that is authorized to make these attestations. This may be an electronic signature.*