H-1B Application Checklist

___ Checks (The Human Resources Office will obtain these from the department)
___ H-1B $325.00 (from dept)  ____ Exempt label on I-129
___ Initial $500.00 (from dept)  ____ KCC Sheet
___ Premium processing $1225.00 (from dept)  ____ FedEx or UPS? need depart Acct. #
___ H-4 $290.00 (from indiv, NOT dept)

___ I-907 Premium Processing form (if applicable)

___ I-129 Form (The Human Resources Office will complete this form)
___ Pages 1-7
___ Page 11-12 (2 originals signed in blue ink)
___ Page 17-19
___ Export Control Form (do not submit, keep with immigration file)

___ All Supporting Documents (To be completed by the employee)
___ I-94 card (copy of both sides)
___ H-1 all forms I-797
___ F-1 all forms I-20
___ EAD if on OPT
___ F-2 all forms 1-20
___ J-1 all forms of DS-2019

Waiver? Or not subject to 2 yr home residency requirement
___ LCA (Human Resources will have this)
___ Current letter of offer (Human Resources will have this)
___ Current resume/CV
___ Diploma/Degree (*Transcripts if field of study is not on the diploma.
If diploma and transcripts are from a foreign country, we need the copy of diploma and transcripts in
the foreign language and an English translation. (to be completed by the employee)

**Credentials Evaluations**
USCIS has recently been requesting a credentials evaluation of the highest degree that was not obtained from
a U.S. or Canadian college or university. Such requests delay the application, including those filed under
Premium Processing. In order to avoid unwanted delays, we recommend that any applicant who has obtained
his/her highest degree from an institution outside the U.S. or Canada obtain an official credentials evaluation.
The National Association of Credentials Evaluation Services has a listing of their members at:
http://www.naces.org/. It is up to the hiring Department and the individual to decide who should pay the fee
for the evaluation. Human Resources cannot recommend one company over another.
___ Transcripts if field of study not on diploma
___ Translation if not in English
___ Credential evaluation
___ Two Publications or two Recommendation Letters
___ Copy of Visa (not necessary if outside US)
___ Copy of passport
___ Last 4 months pay statements (portability and extensions)
___ Individual is outside USA, foreign address and address of POE or US consulate

**I-539 Form H4 & Supporting Documents** (To be completed by the employee or dependents)
___ Marriage Certificate
___ Birth Certificate
___ Copies of passport, I-94, visa stamps and previous immigration status
___ If currently in H-4 status, form I-797, Approval Notice
___ $290.00 fee payable to US Department of Homeland Security. Only a check from a US bank will be accepted. (from indiv, NOT dept)

*Translations*

All documents that are not in English, including Latin, must be translated. Translations must be accompanied by a statement from the translator indicating his/her qualifications for doing the translation. Neither the H-1B applicant nor an immediate family member may do the translation. The translator must sign the translation and type or write on the translation the following: "I certify that I am competent to translate (name of language) into English and this is an accurate translation of the original."

**Dependents**

The spouse and unmarried children under age 21 of an individual on an H-1B visa may apply for an "H-4 dependent" visa. Family members in the U.S. who wish to change to H-4 status from another status or to extend their current H-4 status, must complete a US Citizenship and Immigration Services (USCIS) Form I-539. **The family member completes and signs the I-539 application, NOT the H-1B visa holder. If the family member is a young child who is not old enough to sign, the parent may sign the form in Part 6 "Signature of person preparing form if other than above."

A foreign address must be given in Part 4. The address of a parent or other family member living in the home country is acceptable.

Fee: The fee for processing is $300 payable to US Department of Homeland Security and must be paid by the beneficiary, not the Department.

Return the completed and signed I-539 and supporting documents (see above) to the Human Resources office.
Family members who have a valid status independent of the H-1B visa holder (e.g. F-1, J-1), are not required to file for H-4 status. **H-4 visa holders are not authorized to work in the United States under any circumstances.**

For family members **outside the U.S.**: The I-539 Form is not needed if the family members are currently not in the United States. Instead, they will complete a visa application for H-4 status directly to the U.S. Consulate or embassy. The following offers guidelines on what may be required. However, each Consulate may have different fees, procedures and requirements and should be contacted prior to making the application.

1. **Proof of the H-1B’s status in the U.S.** Original form I-797 Notice of Approval.
2. **Proof of financial support**
   - A letter from the H-1B’s department indicating annual salary;
   - A letter from the H-1B indicating that he/she will provide support for the dependents;
   - Copies of the H-1B’s bank statements.
3. **Proof of relationship**
   - Copies of marriage and/or birth certificates.

Other family members such as parents, sisters, brothers, domestic partners are not eligible for H-4 status. They may be able to apply for a "B-2 tourist" visa. They would need to show proof of financial support and ties to their home country.

Revised 01/24/2013