



Checklist for Prospective H-1B Beneficiaries

The International Center will need the following items from the prospective H-1B beneficiary in order to process the H-1B application required by the United States Citizenship and Immigration Service (USCIS):

- Current curriculum vitae of beneficiary.
- Clear photocopy of beneficiary's diploma. (Please reduce size to fit on 8 ½" X 11" paper)
- If diploma is not in English, an official or attested translation of the diploma.
- A credential evaluation if the degree is not from a U.S. institution.
- Any licenses, certificates, or special documentation required for the position.
- Photocopy of passport page(s) showing photo, biographical data, issuance date, and expiration date.
- Photocopies of supporting immigration documents if individual is in the U.S. (single-sided copies, please):
 - Most current, valid I-94 information. If it is issued on a paper card, please include photocopy of the front and back of card. If it is electronic, please print I-94 record from <https://i94.cbp.dhs.gov/i94/#/home>.
 - Supplemental documents if currently holding one of the following nonimmigrant statuses:
 - F status: Copies of current and all previous I-20 forms (single-sided copies) and Employment Authorization Document (EAD) if authorized for F-1 Optional Practical Training.
 - H status: Copies of current and all previous approval notices (form I-797). Two or three recent paystubs if applying for an H extension, amendment, or change of employer. Change of H-1B employer cases, if the H-1B employment has ended or will have ended before Winthrop's H-1B approval. If this is the case, the beneficiary needs to speak with the International Center immediately.
 - If you currently hold or have ever held J status: Copies of current and all previous DS-2019s (and IAP-66 forms, front and back, if applicable). If the beneficiary has ever been subject to 212(e) "two year home residency requirement," submit evidence of a waiver or of having fulfilled the requirement. If J-1, include copies of current and all previous EADs.

Dependents Requesting COS to H-4 Status

If the beneficiary is in the U.S. and has a spouse or unmarried children under 21 in the U.S. for whom dependent H-4 status is required, the beneficiary should provide the following to the International Center:

- Completed USCIS Form I-539, signed by the main beneficiary. This form is available at <https://www.uscis.gov/i-539>.
- Government filing fee for the Form I-539. A separate check made payable to "Department of Homeland Security" must be written for the I-539 application fee.
- Valid I-94 card (if issued paper I-94) or U.S. entry/admission stamp (if issued an electronic I-94).
- To print out a copy of the digital I-94 record, go to <https://i94.cbp.dhs.gov/i94/#/home>.
- Copy of initial entry stamp in H-4 status from passport or I-94, if applicable.
- Copy of passport page(s) showing photo, biographical data, issuance date, and expiration date.
- Copies of current and previously issued documents for current status (i.e., I-797 notices for H, DS-2019(s) for J, or I-20 for F).

- List on a separate sheet, a detailed chronological history for each H-4 dependents prior to their current stay in the U.S. Provide the dates and specify each status (ex. 11/20/2015-11/20/2017 in J2 status, etc.)
- For spouse, copy of marriage certificate is recommended.
- For child(ren), copy of birth certificate (or other legal papers) confirming the H-1B as parent is recommended.

Special Instructions for Completing the Form I-539

- Part 1 of form I-539 “Information about You” is to be completed by the family member (spouse or child) who is currently in the U.S. and extending/changing to H-4 status. If there is more than one family member extending/changing to H—4 status, additional members should be listed in “Attachment – 1.”
- Part 3, Number 1 – enter the same date as the H-1B requested end date.
- Incomplete, inaccurate, or unsigned applications or checks may result in rejection of application by USCIS.

Dependents Entering the U.S. in Initial H-4 Status

The U.S. Department of State’s website (<https://travel.state.gov/content/travel/en/us-visas.html>) contains information on visa application requirements and instructions on how to make appointments for visa interviews. Dependents should try to apply at the U.S. embassy/consulate having jurisdiction over their place of residence, though they may apply at any U.S. embassies/consulates worldwide that permit third country nationals’ applications. Anyone who has ever had a visa overstay in the U.S. must apply for the visa at a consular office in their country of nationality.

H-4 visa application requirements differ by embassy/consulate, so family members should check directly with the specific U.S. embassy/consulate on the requirements for the visa application if they have any questions.

Generally, all H-4 visa applications must include the following:

- DS-160 nonimmigrant visa application confirmation page;
- Visa interview appointment confirmation page;
- Proof of payment of visa fees;
- A passport-style photograph that meets DOS’s nonimmigrant visa photo requirements;
- Passport valid for at least 6 months beyond the H-1B worker’s authorization end date;
- Evidence of relationship to the H-1B employee:
 - Marriage certificate for spouse;
 - Birth certificate for each child;
- Evidence of the H-1B employee’s status (copies of I-94, visa, approval notice, offer/support letter, etc.); and
- Any other documents required by the specific [U.S. Embassy or Consulate](#).

If you have any questions about this information, please contact the International Center.

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