H-1B Visa Application Checklist

Steps and Required Documents to submit to Service Center:

Please submit a cover letter with all documents listed.

1. (  ) Employment offer letter offering the position with all signatures required. -3 copies

2. (  ) Labor Condition Application (LCA) – 3 copies

3. (  ) Letter from Employer – (Submit original plus two copies)
   This letter must be from the hiring official in the department and should be addressed to U.S. Citizen and Immigration Services. It should contain the following information:
   ▪ Brief description of duties
   ▪ Dates of appointment - (May not exceed 3 years initially)
   ▪ Salary (Monthly or Annually)
   ▪ A testament to the fact that this individual possesses highly specialized knowledge and skills and the relevant credentials, which make him/her uniquely qualified for this specialty occupation.

4. (  ) Form I-129 with H Supplement - filled out by OIP with information provided on the prospective employee information sheet attached.

5. (  ) Three copies of prospective employee’s highest degree/diploma. If this diploma is not in English, a certified translation is required. The certification must include the translator’s name, signature, date and the following statement: “I certify that I am competent to translate (name of language) into English and that this is an accurate translation of the original.”

6. (  ) Three copies of resume or CV.

7. (  ) A listing of educational and professional history.

8. (  ) A list of professional memberships, awards, and honors.

9. (  ) A list of publications.

10. (  ) Processing Fees - In addition to these forms, individuals must pay a $340.00 processing fee.
    However, if individuals would like premium processing (which means a much shorter processing time, usually 2 weeks as opposed to up to 2 months) they must pay a $1,000 fee and fill out a premium processing form. Checks should be made payable to U.S. Citizenship and Immigration Services (USCIS).

11. (  ) Processing fee for Petitioner (Hiring Department) to pay: $500.00 (as of March 8, 2005) made out to the U.S. Citizenship and Immigration Services (USCIS), this fee is for Fraud Prevention and Detection. **Must be paid. No exemptions.**

   **Additionally, H-1B applicants currently in the U.S. must submit the following:**

12. (  ) Two copies of both sides of Form I-94 (small white card stapled into passport) (do not submit original)

13. (  ) Two Copies of your passport with all U.S. visas issued within
    **For all family members currently in or out of the U.S. applying for H-4 status:**

14. (  ) Two copies of forms(s) I-94 (front and back), passport and visa (if applicable), otherwise the I-797 Notice of Action with the approval of the visa.

15. (  ) Form I-539 (original plus one copy)

    **For H-1 applicants currently in F-1 status:**

Two copies of all previous I-20 documents all pages (Do not submit original) & Two copies of your Employment Authorization Card (if applicable)

**For H-1 applicants currently in J-1 status:**
17. (   ) Two copies of current and all previous form DS-2019 or IAP-66. (Do not submit original)
18. (   ) Two copies of waiver form Immigration to waive 2-yr. home residence requirement, unless clearly not subject.

For applicants currently in H-1 status with a different employer:
19. (   ) Two copies of all forms I-171C or I-797 (Approval of H-1 Petition) (do not submit original).

If the visa is approved, a Notice of Action form (I-797) will be sent indicating approval. If you are in the U.S., you should staple this form in your passport and use it as proof of legal status. If you are outside of the U.S. then this form will be sent to you and you will need to take it to the U.S. embassy or consulate abroad and apply for your visa. In this case you will also need to complete a non-immigrant visa application form (DS-156).

20. (   ) Optional form – Premium processing if applied for with $1,000.00 fee

Addresses:

Regular Processing:
U.S. Citizenship & Immigration Serv.
California Service Center
ATT: CAP EXEMPT H-1B Processing Unit
P.O. Box 30040
Laguna Niguel, CA 92607-3004

Premium Processing:
U.S. Citizenship & Immigration Services
California Service Center
PREMIUM PROCESSING
ATTN: CAP EXEMPT H-1B Processing Unit
24000 Avila Road, Room 2312
Laguna Niguel, CA 92677