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# Benefit Request Instructions for USCIS ELIS

December 2011



U.S. Citizenship  
and Immigration  
Services

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## 1.0 Introduction

USCIS is committed to creating an electronic application process that is customer friendly, easy to understand, and provides timely and accurate information to its users.

USCIS ELIS is designed to deliver a simplified, online system for applicants and their attorneys or accredited representatives to submit and track e-filed applications. Our hope is that USCIS ELIS will:

- ▶ Make it easier for you to access information about your benefit requests
- ▶ Provide you with more up-to-date and detailed case information
- ▶ Provide you with the ability to submit benefit requests and supporting evidence electronically and to have a variety of e-payment options available to you
- ▶ Reduce the length of time you spend entering information by automatically filling in future benefit requests with certain common information (name, date of birth, etc.)

## 2.0 General Instructions

### 2.1 How do I get started?

Before you or your attorney or accredited representative can file an online benefit request in USCIS ELIS, you must create a user account. Go to [www.uscis.gov](http://www.uscis.gov) and click on the link for USCIS ELIS. You also can access USCIS ELIS through the [www.uscis.gov](http://www.uscis.gov) from the Forms page. You will be instructed on how to create an account and file an online benefit request.

### 2.2 Who is eligible to file?

The chart below indicates who can file an I-539 request in USCIS ELIS. As USCIS deploys more form types, we will update the chart to reflect who can file benefit requests in USCIS ELIS.

If you want to...	And you...	Then...
<b>Extend</b> status	<b>currently are a...</b> B-1, B-2, F-1*, M-1 or M-2	You can e-file in <b>USCIS ELIS</b> .
<b>Change</b> status	<b>want to become a...</b> B-1, B-2, F-1**, F-2, J-1, J-2, M-1 or M-2	
<b>Reinstate</b> status	<b>previously were a...</b> F-1, F-2***, M-1 or M-2***	

\* Limited to individuals in the F-1 classification who received a date-specific visa that requires completion of a given course of study within a specific time.

\*\* An M-1 student may not change status to an F-1 student per 8 CFR 248.1(c)(1).

\*\*\* The spouse or child of an individual in F-1 or M-1 status may also be included in the principal applicant's benefit request.

### 2.3 What should I know before filing?

Before USCIS can grant your benefit request, you must establish eligibility. You will be required to answer questions which USCIS will review to determine if you are eligible. In addition, you must provide evidence in support of your benefit request.

All supporting evidence must be submitted **electronically**. You cannot submit supporting documents for your case through the U.S. Postal Service except when USCIS specifically asks for a document, such as an original birth certificate.

USCIS may deny a benefit request submitted with false documents or containing misrepresentations of facts or other fraud. Any person involved in such activity may lose the right to file for current and/or future immigration benefits and services. You also may face severe penalties, criminal and/or civil prosecution, fines and/or imprisonment. We take fraud very seriously and may prosecute to the fullest extent of the law.

## **2.4 What documents do I need to e-file my benefit request?**

USCIS may ask you for several types of documents to support your benefit request.

### **2.4.1 Required Documentation**

If USCIS considers certain documents required information, you will be asked to scan and upload the documents online. You must scan the front and back and upload your original Form I-94, Arrival-Departure Record as well as the I-94 for each person you will include in your benefit request. You also may scan and upload copies of other evidence. All copies of original documents must be clear and readable.

### **2.4.2 Valid Passport**

If you were required to have a foreign passport to be admitted into the United States, you must keep your passport valid and unexpired during your nonimmigrant stay. If a required passport is not valid or is expired when you e-file your benefit request, you will need to provide an explanation for why it is not valid at the time of your request.

### **2.4.3 Translations**

Any document written in a language other than English must be accompanied by a full English language translation. The translator who completed the translation must certify that the translation is complete and accurate and that he or she is competent to translate from the foreign language into English.

### **2.4.4 Arrest or Conviction Records**

If you have ever been arrested, fingerprinted, detained, or convicted of a criminal or civil offense, you must submit a certified copy of the charging document, arrest and conviction record, and any other official documentation regarding the incident. Incomplete or improper submission of arrest and conviction documentation may affect the processing of your case and the decision made by USCIS on your benefit request.

If a particular document is unavailable, you must provide official or certified evidence from the court confirming the unavailability of the record. The documentation or evidence of its unavailability must be marked as an official or certified copy. If the record has been purged, expunged, sealed, or is unavailable for some other reason, you must provide an official certified notice from the court so stating.

## **2.5 How do I file my benefit request online?**

When you start the online application process, you will be guided by a “wizard” – a system tool that will guide you step-by-step through the entire e-filing process. For the I-539, you will be asked to provide information or answer questions that appear in the following categories:

- About You
- Benefit Request Type
- Eligibility Information

- Beneficiary Information
- Supplemental Biographic Information
- Evidence
- Preparer

Depending on how you respond to a question, the wizard will show you various fields that you must complete. Once you have provided all requested information and evidence, you will be asked to review your request and follow these steps to sign, pay for, and submit your benefit request to USCIS:

- Review of Benefit Request(s)
- Final Eligibility Review
- Submission and E-Sign
- Pay.gov
- Confirmation

Each category appears on the left-hand side of your screen and you can click on any category during the process to review or modify data.

Below are instructions for completing your I-539 online. These instructions are linked to each wizard screen and the full instructions can be accessed at any time on [www.uscis.gov](http://www.uscis.gov) while you complete your online request. You also will see “Tips” on the right-hand side of each screen to give you helpful information while completing a particular section online.

***NOTE:*** *As with the instructions on the paper Form I-539, any instructions provided in USCIS ELIS are deemed to be incorporated into the regulations and have the force of law.*

## 3.0 Filing Instructions

### 3.1 Apply Online

To begin the application process, you must select from a drop down menu the type of benefit request you are going to file. For Form I-539s, select “*Application to Extend/Change Nonimmigrant Status*” and then click “*Apply Online*”.

### 3.2 About You

In this section, you will be asked to provide information about yourself. This includes your full legal name, current physical address, current mailing address (if different from physical), contact preferences, biographic information, and a valid identity document.

#### **3.2.1 USCIS Account Information**

1. You should receive a unique USCIS ELIS account number in the mail after you create your account. Type in your 12-digit USCIS ELIS account number (e.g., “0011-2233-4455”) as reflected on your USCIS notice.
2. If you would like to add any additional information that may be relevant to determining your eligibility for the benefit request, please provide comments in the box entitled “*Add Additional Page Information.*”

Once you have provided your account information, click “Next” to continue e-filing your benefit request.

#### **3.2.2 Name(s)**

##### ***Full Legal Name***

1. You must use your full legal name for USCIS records and/or documents. The name you provide must be the same as it appears on your passport, birth certificate, or other government-issued identity document.
2. You also will be asked to scan and upload a copy of the document(s) used to establish your identity.

##### ***Name Changes***

1. If your name has changed due to marriage, divorce, naturalization, adoption, or through a court order, you must submit evidence of the legal name change.

2. The following sets of terms are often used interchangeably: (1) “family name”, “surname”, and “last name”; (2) “given name” and “first name”; and (3) “middle name” and “second name”.
3. If you have no first name, check the box that reads “No first name.” If you have no middle name, check the box that reads “No middle name.”

### ***Other Names Used***

1. If you have ever used any other names, select “Yes” from the drop down menu to the right of the question.
2. You must provide each name previously used, including nicknames and aliases. Other names used include a maiden name, part of a first or last name, or a shortened or altered version of a legal name. Examples: Kate used in place of Catherine (given name), William used in place of Guillermo (given name), or Rama used in place of Ramachandran (family name).
3. Once you have entered each name, select “Add” to include the information in the online benefit request.

Once you have listed all names, select “Next” to continue e-filing your benefit request.

### **3.2.3 Addresses**

#### ***Current Physical Address***

You must provide USCIS with your current physical address. This address may not be a Post Office address (P.O. Box) or an “In Care of” (c/o) address.

#### ***Foreign Addresses***

1. If your residence is not within the United States or a U.S. territory, please provide your address in the address fields in the format that is acceptable in your country of origin.
2. Select your country from the drop down menu under the header “Country”. If your country was known by a different name at the time of your birth or during the time that you resided there (e.g., “Soviet Union” in the past, “Kazakhstan” today), include the present name of your country. In addition, you also must provide the province and postal code (if applicable).

#### ***Mailing Address***

1. If your mailing address is different than your physical address, please provide that address in the spaces provided. This may be a Post Office Box address (P.O. Box) if that is how you receive your mail.

2. If your mail will be sent to someone other than yourself, please include an “In Care of Name” (c/o) as part of your mailing address. The “In Care of Name” designation provides the name of a person currently residing at the given address.

Once you have provided your current physical address and mailing address (if applicable), select “Next” to continue e-filing your benefit request.

### **3.2.4 Communication Preferences**

USCIS Notices are official documents from USCIS that require your attention and include your personal information. Examples of USCIS Notices include a Request for Evidence, Approval Notice, Account Creation Notice, and Denial Notice.

Electronic notification means that USCIS will use the Internet to send you messages about updates to your account. Examples of USCIS electronic notifications include an email message or a text message sent to the email address you used to create your USCIS ELIS account.

#### ***Electronic Notification***

1. USCIS will send official notices generated in USCIS ELIS by U.S. postal mail unless you request electronic notice. If you choose to be notified electronically, USCIS will notify you via E-mail or SMS/Text messaging to view your account for recent updates.
2. If you want USCIS to contact you electronically, select “Electronically (View Online)” from the drop down menu.

**NOTE:** *In certain instances, even if you request electronic notification, USCIS will send certain notices to you by U.S. Postal Mail. These notices include evidence of status or employment authorization (e.g., a newly issued I-94 or employment authorization card). USCIS will notify you when a notice is sent via U.S. Postal mail.*

#### ***Paper Notices***

If you would like to receive notices through regular U.S. Postal mail, select “Paper (Postal Mail).”

Once you have indicated your communications preferences, select “Next” to continue e-filing your benefit request.

### **3.2.5 Biographic Information**

#### ***Current Member of the U.S. Military***

If you are currently a member of the U.S. military, select “Yes” in the space provided; otherwise, select “No.”

#### ***Date of Birth***

Enter your date of birth using the month-day-year format (mm/dd/yyyy) even if your birth certificate or government-issued identity document uses a different format.

### ***Place of Birth***

1. Provide your place of birth as it is shown on your birth certificate.
2. If your country of birth no longer exists, then select “Other” from the drop down menu and insert the name of the country at the time of your birth in the Additional Explanation section.

### ***Gender***

Please provide your gender in the space provided (male or female).

### ***Country of Citizenship***

1. Provide the present name of the country of your citizenship.
2. If you hold dual citizenship or are a citizen of multiple countries, please list all of the countries where you have been (or still are) considered a citizen.

Once you have provided your biographic information, select “Next” to continue e-filing your benefit request.

## **3.2.6 Immigration**

### ***Immigration Status***

1. Provide the specific current immigration status you now hold.
2. If you are no longer in a valid immigration status because you have stayed past your permitted period of stay, enter the date your period of stay ended in the field provided. If you entered the country without having been admitted to the United States at a port of entry (without inspection, admission, or parole), indicate “EWI” in the field provided.
3. If you have a valid and current immigration document issued to you by USCIS, U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection or the Executive Office for Immigration Review at the Department of Justice, please provide the immigration status shown on that document.

### ***Entry into the United States***

1. Indicate the specific immigration status you obtained when you last entered the United States. If you are not a U.S. citizen or lawful permanent resident of the United States, this status can usually be found on the Form I-94 issued to you at the U.S. port of entry.

2. If you have been to the United States previously, you must provide the number of times you have entered and your immigration status upon each entry (e.g., you entered the U.S. as a B-2 visitor twice – 3/1994 and 7/2010 – at the San Ysidro port of entry).
3. You can provide additional information by selecting “Add Additional Page Information” and listing prior entries and departures in the space provided.

### ***Most Recent Arrival (Arrival-Departure Record)***

1. With the exception of Canadian visitors, most nonimmigrants are given a Form I-94, Arrival and Departure Record or I-94W, Nonimmigrant Visa Waiver Arrival/Departure Form, or I-95, Nonimmigrant Arrival-Departure Document at the time of their admission to the United States and/or when they change or extend their status.
2. If you were issued a Form I-94, I-94W, or I-95 and still have it in your possession, indicate that by selecting “Yes” and provide your Arrival-Departure Record Number.
3. If you were issued a Form I-94, I-94W, or I-95 but are no longer in possession of it due to loss, theft, or mutilation or damage, indicate that by selecting “No” and provide an explanation for not having the Form I-94, I-94W, or I-95.
4. If you are a Canadian citizen who entered the United States as a visitor for business or pleasure, select “B1/B2” from the drop down menu.
5. If you entered the country without having been admitted to the United States at a port of entry (without inspection, admission, or parole), indicate “EWI” in the field provided.
6. You should submit a scanned copy of the Form I-94, I-94W, or I-95 as evidence of your status when you file this benefit request.

### ***Expiration of the Period of Admission***

1. Enter the expiration date in a month-day-year format (mm/dd/yyyy). The picture below shows you where you can find the expiration date on your I-94.

Departure Number **813106636 11**

Department of Homeland Security  
CBP I-94 A (11/04)  
Departure Record

**Date of Entry** → FEB 05 2005

**Expiration Date** → 09/17/2007

**Name (last and first)** → SAMPLE AHMET

Country of Citizenship: PAKISTAN

20041122 US-VISIT 20041122 MULTIPLE

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2. If you entered as an asylee or refugee, you may have been admitted “indefinitely” on your Form I-94. If so, mark “D/S” in the space provided.
3. If you entered as a student, you probably were admitted for the “duration of status” (D/S). If so, mark “D/S” in the space provided.
4. If you entered the United States under the Visa Waiver Program (VWP) and you were admitted via the Visa Waiver Program Electronic System for Travel Authorization (ESTA), your passport should contain a U.S. admission stamp with your class of admission (“WT/WB”) and expiration date. Enter the date in the space provided.

### **3.2.7 Government Identification**

#### ***U.S. Government-Issued Identity Card or Document***

1. If you have a government-issued identity card or document, select “Yes”. The government-issued identity card or document must contain your photograph.
2. Provide information from at least one of the documents listed. You also will be required to scan and upload a copy of the document into USCIS ELIS.
3. If you have a passport, select “Passport” and provide the name of the issuing country, passport number, and expiration date of the document in the spaces provided.
4. If you have a U.S. State-issued driver’s license, select “U.S. Driver’s License” and provide the name of the issuing State or U.S. Territory, driver’s license number, and the expiration date in the spaces provided.
5. If you have any other U.S. government-issued photo identification document, select “Other Government-Issued Photo ID” and describe the type of document. Provide any available document number and the expiration date in the space provided.

### **Foreign Government-Issued Identity Card or Document**

1. If you have a foreign government-issued identity card or document, select “Other Government-Issued Photo ID”. The foreign government-issued identity card or document must have a photo of you.
2. If the foreign identity card or document has an ID number, please enter the number in the space provided.
3. If the foreign identity card or document has an expiration date, please enter the date in the space provided. Enter the expiration date in a month-day-year format (mm/dd/yyyy).

### **No Identification Card Available**

1. If you do not have a government-issued identity card or document, select “No”.
2. Provide an explanation for why you do not have an identity document in the space provided.

Once you have provided your immigration information, select “Next” to continue e-filing your benefit request.

## **3.3 Benefit Request Type**

In this section, you will be asked to indicate what benefit you are seeking. You will have three options to choose from:

1. Extension of Stay
2. Change of Nonimmigrant Status
3. Reinstatement of Student Status

If you have family members with you in the United States, as the principal applicant, you will be asked to provide information about them as well.

**NOTE:** Any family member who wishes to file a separate benefit request must first establish his or her own account in USCIS ELIS. You **cannot** use another person’s USCIS ELIS account even if they are related to you.

If you are assisting a family member to complete their benefit request, the family member **must have his or her own account** and you must enter information about yourself in the section for “Preparers” during the wizard process.

Only the account holder can e-sign his or her application, except in the case of a parent or legal guardian of an individual under the age of 14 or an individual who is physically incapacitated or developmentally disabled.

For legal guardians and parents of children under the age of 14, you must create an account for the child or disabled person in their name and then complete a benefit request for them. You will be required to provide documentation to establish that you are the legal guardian or parent and you must complete the “Preparer” section of the request before you e-sign on their behalf.

### **3.3.1 Benefit Request Type**

To select the type of benefit you are requesting, select your request type – extension of stay, change of status, or reinstatement of student status.

#### ***Extension of Stay***

1. If you are filing your benefit request only for yourself, provide your current immigration status and the date to which you would like to extend your status.
2. If you are filing your benefit request with family members who are included in your request, provide your current immigration status and the date to which you would like to extend to your stay.
3. If you are in B-2 (tourist) status and seek an extension of stay, you must submit documentation that demonstrates you or someone else has the ability to pay for your expenses and support you while you are in the United States.
4. You must provide the full legal names for each family member/beneficiary included in your benefit request.
5. If your family member has no first name, check the box that reads “No first name.” If your family member has no middle name, check the box that reads “No middle name.”
6. Click “Add” after entering each family member’s name to update the information on your request.

#### ***Change of Status***

1. All members of your family must currently be seeking a change of nonimmigrant status to the same nonimmigrant status as you.
2. If you are filing your request individually, select the category for your current nonimmigrant status (e.g., B-1) and then select the new nonimmigrant status to which you want to change.
3. If you are in B-2 (tourist) status and seek to change status to an F-1 (student) or M-1 (vocational student), you must submit documentation that demonstrates you or someone else has the ability to pay for your studies and support you while you are in the United States.
4. If you are filing your request with family members who are in the United States with you, select the category for your current immigrant status (not the family member’s) and the new nonimmigrant status to which you and your family want to change.

5. You must provide the full legal names for each family member/beneficiary included in your benefit request.
6. If your family member has no first name, check the box that reads “No first name.” If your family member has no middle name, check the box that reads “No middle name.”
7. Click “Add” after entering each family member’s name to update the information on your request.

#### ***Reinstatement of Student Status***

1. If you are filing your request individually, provide your current immigration status.
2. If you are filing your request with family members who are included in your benefit request, provide your current immigration status.
3. You must provide the full legal names for each family member/beneficiary included in your benefit request.
4. If your family member has no first name, check the box that reads “No first name.” If your family member has no middle name, check the box that reads “No middle name.”
5. Click “Add” after entering each family member’s name to update the information on your request.

#### **3.3.2 Eligibility Information – General Instructions**

In this section you are asked questions that address your eligibility for the benefit you requested. You should respond truthfully to all questions and provide the requested information. For certain nonimmigrant categories, there are additional eligibility requirements that must be met before you can file a benefit request.

#### ***J Exchange Visitors Subject to the 2-Year Foreign Residence Requirement***

1. Some J-1 and J-2 exchange visitors are subject to the 2-year foreign residence requirement found in the Immigration and Nationality Act in Section 212(e). This obligation requires the J-1 and, in some cases, their J-2 dependents to return to their home country for 2 years at the end of the J-1 program.
2. The “J” visa issued by the U.S. Department of State and placed in your passport in most instances will indicate whether or not you or your dependents are subject to the 2-year foreign residence requirement.
3. The 2-year foreign residence requirement will prevent you from obtaining a change of nonimmigrant status unless the 2-year requirement is either fulfilled or waived prior to the filing of a benefit request to change nonimmigrant status.

4. If you are subject to the 2-year foreign residence requirement and have not fulfilled that requirement, a waiver must be granted **prior to the filing** of a benefit request to change nonimmigrant status.

### ***Criminal History***

You must respond “Yes” to questions if you were arrested, detained, fingerprinted, or convicted, in connection with any criminal activity and even if no charges were ever filed after your arrest or your conviction was expunged. Below is a list of documents that you should submit in the following categories:

#### ***No Charges Filed***

If you have ever been arrested or detained by any law enforcement officer for any reason but charges were **NOT** filed, submit an original official statement by the arresting agency or applicable court confirming that no charges were filed. If you cannot obtain an official statement, explain why in the Additional Explanation section.

#### ***Charges Filed***

If you have ever been arrested or detained by any law enforcement officer for any reason, and charges were filed, submit:

- An original or court-certified copy of the complete arrest record; and
- A certified copy of the final court disposition for each incident (dismissal order, conviction record or acquittal order).

The arrest record(s) must be a complete official record from the law enforcement agency that made the arrest. The record(s) should show the name of the law enforcement agency that made the arrest, who was arrested, the date of the arrest, and the reason for the arrest (the charge(s) or citation(s) made by the law enforcement agency).

#### ***Convictions and Court Disposition(s)***

If charges were filed against you without an arrest, you were indicted or if you have ever been convicted or placed in an alternative sentencing program or rehabilitative program (such as a drug treatment or community service program), submit:

- An original or court-certified copy of the sentencing record for each incident; and
- Evidence that you completed your sentence:
  - o An original or certified copy of your probation or parole record; or
  - o Evidence that you completed an alternative sentencing program or rehabilitative program.

All dispositions must be from the court where your case was tried. If the case has not yet been to trial, submit official notification from the court of the pending court date. If any

motions to dismiss were filed, provide the entire court proceedings not just the disposition of the motion. The court dispositions must reflect the date of offense, the charge, and the final disposition by the court.

### ***Inability to Submit Court Documents***

If you are unable to submit court documents, or if the case was dismissed prior to going to trial, obtain an original letter from the Court or the District Attorney's Office of the city or municipality where the arrest or conviction occurred that indicates the date of offense, the charge, and final disposition by the court.

### **3.3.3 Eligibility Information – Specific Instructions**

#### ***Account Information***

1. If you were issued a Form I-94, I-94W, or I-95 and still have it in your possession, indicate that by selecting “Yes”.
2. You must submit a scanned copy of the Form I-94, I-94W, or I-95 as evidence of your status when you file this benefit request.

#### ***Principal Alien***

1. If you are filing a request for status based on a principal alien's status, select “Yes” from the drop down menu.
2. Indicate what status the principal alien currently has or, if he or she has a pending request with USCIS, the status the principal alien will receive if approved.
3. Provide the principal alien's current physical address. Click “Next” to continue to the next screen.

#### ***Education Information***

1. If you or any family member are currently in or seeking to change status to an F (student), M (vocational student), or J (exchange visitor), select “Yes” from the drop down menu to indicate you are seeking a change in status.
2. Provide your SEVIS registration number which appears on your approved I-20A/B. (Example: N123456789)
3. If you or any family member are currently in B-2 (tourist) status and seeking to change status to an F-1 (student) or M-1 (vocational student), or J-1 (exchange visitor), select “Yes” from the drop down menu to indicate you are seeking a change in status.
4. Provide the information requested to establish how you will support yourself financially while in the United States. Click “Next” to continue filing your benefit request.

#### ***J1/J2 Exchange Visitor Visa***

1. Provide the name of the person who is in J1/J2 status.
2. If the person who is currently in J1/J2 status is subject to the 2-year home residence requirement, select “Yes” from the drop down menu.
3. If the person who is currently in J1/J2 status has received a waiver of the 2-year home residence requirement, select “Yes” from the drop down menu.

### ***Immigrant Visa***

1. If you or any family member currently has an application for an immigrant visa pending with a U.S. consulate or embassy outside the United States, select “Yes” from the drop down menu.
2. Provide the name of the person who filed the immigrant visa and the USCIS receipt number (EAC-123456789) for the immigrant visa petition filing.
3. If you or any family member currently is the beneficiary of a nonimmigrant or immigrant applicant or visa petition, select “Yes” from the drop down menu.
4. Provide the name of the person who filed the immigrant visa petition and the USCIS receipt number (EAC-123456789) for the filing.
5. If you or any family member currently has an application to adjust status to lawful permanent residence, select “Yes” from the drop down menu.
6. Provide the name of the person who filed the application for adjustment of status and the USCIS receipt number (EAC-123456789) or A number (A0999999999) for the filing.

### ***Background Questions***

1. You must answer all the questions related to your admissibility to the United States or other eligibility for this benefit request.
2. You also must answer “Yes” if any family member was arrested or convicted.

### ***Elaboration***

1. If you answered “Yes” to any question in the “*Background Questions*” section, you must provide an explanation for and information about the incident or situation. You also should describe any extenuating circumstances that may assist USCIS in determining your eligibility.
2. Provide the City or Town, State, Province and Country (if not in the United States) where you were arrested, detained and/or convicted.
3. Provide the name of the law enforcement agency involved in the incident and the date of the incident.

4. If you or a family member were convicted, provide the name of the Court where you or your family member was convicted.
5. You **must** provide a copy of all arrest, conviction, and court disposition records.

## 3.4 Beneficiary Information

In this section, you are asked to provide information about beneficiaries you have included in your beneficiary request.

A beneficiary is a person who can either be included as a co-applicant in certain applications with USCIS or have a petition filed by another person (or themselves in certain instances) on their behalf.

### **3.4.1 Beneficiary's Relationship to You – General Information**

#### ***Type of Relationship***

- You are asked to provide the names of all beneficiaries who you have included in your benefit request. You also must indicate what the beneficiary's relationship is to you.
- Please select the type of relationship you have with the beneficiary from the drop down menu. If more than one of the given options applies, select each relationship type that applies.

#### ***Children***

- If the beneficiary is a child, select the type of relationship (i.e. biological, adopted or step-child).
- Provide the child's marital status (not married or married) by selecting from the drop down menu.

#### ***Definitions and Required Documents***

- For the benefit you are seeking, you can only apply or petition for persons who have the relationships to you.
- Valid Relationships include:
  - o **Spouses:** A husband or wife of the applicant or petitioner in a spousal relationship created when a marriage has occurred in accordance with the laws of the jurisdiction where the marriage took place. Submit a copy of your marriage certificate issued by a government authority as evidence of your relationship.

- o **Biological Children (not married)**: The immediate descendant of the applicant or petitioner related by blood or genetic lineage. Submit a copy of the child's birth certificate as evidence of your relationship. Under immigration law when a child turns 21 years of age or marries, he/she is termed a "son" or "daughter". With the exception of certain "A" and "G" nonimmigrant dependents, a child beneficiary must be under 21 years of age and unmarried in order to be eligible for this benefit.
- o **Step-child (not married)**: The biological or adopted child of the spouse of the applicant or petitioner who the applicant or petitioner has not adopted and who is not the biological child of the applicant or petitioner. Under immigration law, to be considered a step-child, the marriage between the applicant or petitioner and the child's parent must have taken place before the child turned 18 years of age. Submit a copy of the child's birth certificate and a copy of your marriage certificate showing your marriage to the child's parent took place before the child's 18th birthday as evidence of your relationship. Under immigration law when a child turns 21 years of age or marries, he/she is termed a "son" or "daughter". With the exception of certain "A" and "G" nonimmigrant dependents, a child beneficiary must be under 21 years of age and unmarried in order to be eligible for this benefit.
- o **Adopted Child (not married)**: Under immigration law, a child who the applicant or petitioner adopted while under 16 years of age and who has been in the legal custody of, and has resided with, the adoptive parent or parents for at least two years. Submit a copy of the child's birth certificate and the adoption decree showing you as the adoptive parent as evidence of your relationship. Under immigration law when a child turns 21 years of age or marries, he/she is termed a "son" or "daughter". With the exception of certain "A" and "G" nonimmigrant dependents, a child beneficiary must be under 21 years of age and unmarried in order to be eligible for this benefit.

### **3.4.2 Beneficiary's Relationship to You – Specific Instructions**

#### ***Account Information***

If the beneficiary has a USCIS ELIS account number, please type the 12-digit number (1234-5678-9101) in the space provided.

#### ***Full Legal Name***

1. You must provide the beneficiary's full legal name for USCIS records and/or documents. The beneficiary's name must be the same as it appears on the beneficiary's passport, birth certificate, or other legal form of identity.
2. You also will be asked to scan and upload a copy of the beneficiary's document used to establish the beneficiary's identity.

#### ***Name Changes***

1. If the beneficiary's name has changed due to marriage, divorce, naturalization, adoption, or through a court order, you must submit evidence of the beneficiary's legal name change.
2. The following sets of terms are often used interchangeably: (1) "family name", "surname", and "last name"; (2) "given name" and "first name"; and (3) "middle name" and "second name".
3. If the beneficiary has no first name, check the box that reads "No first name." If the beneficiary has no middle name, check the box that reads "No middle name."

#### ***Other Names Used***

1. If the beneficiary has ever used any other names, select "Yes" from the drop down menu.
2. You must provide each name the beneficiary previously used, including nicknames and aliases. Other names used include a maiden name, part of a first or last name, or a shortened or altered version of a legal name. Examples: Kate used in place of Catherine (given name), William used in place of Guillermo (given name), or Rama used in place of Ramachandran (family name).
3. Once you have entered each name for the beneficiary, select "Add" to include the information in the online benefit request.

### **3.4.3 Addresses**

#### ***Current Physical Address***

1. If the beneficiary currently lives with you, please select "Yes" from the drop down menu.
2. If the beneficiary does not live with you, you must provide USCIS with the beneficiary's current physical address. This address may not be a Post Office address (P.O. Box) or an "In Care of" (c/o) address.

#### ***Foreign Addresses***

1. If the beneficiary's residence is not within the United States or a U.S. territory, please provide the beneficiary's address in the address fields in the format that is acceptable in the beneficiary's country of residence.
2. You must include the present day name of the beneficiary's country, even if it was named differently when the beneficiary was born or last resided there (e.g., "Soviet Union" in the past, "Kazakhstan" today). You also must include the province, postal code, and the country as part of the address. You can select the beneficiary's country of residence from the drop down menu under the header "Country".

#### ***Mailing Address***

1. If the beneficiary's mailing address is different from his or her physical address, please type that address in the spaces provided. This may be a Post Office Box address (P.O. Box) if that is how the beneficiary receives his or her mail.
2. If the beneficiary's mail will be sent to someone other than yourself or beneficiary, please include an "In Care of Name" (c/o) as part of the mailing address. The "In Care of Name" designation provides the name of a person currently residing at the given address.

Once you have provided the beneficiary's current physical address and mailing address (if applicable), select "Next" to proceed to continue e-filing your benefit request.

### **3.4.4 Biographic Information**

#### ***Current Member of the U.S. Military***

If the beneficiary is currently a member of the U.S. military, select "Yes" in the space provided; otherwise, select "No."

#### ***Date of Birth***

1. Provide the beneficiary's date of birth as it is shown on the beneficiary's birth certificate or other government-issued identity document.
2. Enter the beneficiary's date of birth using the month-day-year format (mm/dd/yyyy) even if the beneficiary's birth certificate or other government-issued identity document uses a different format.

#### ***Place of Birth***

1. Provide the beneficiary's place of birth as it is shown on the beneficiary's birth certificate.
2. If the beneficiary's country of birth no longer exists, then select "Other" from the drop down menu and insert the name of the country at the time of the beneficiary's birth in the Additional Explanation section.

#### ***Gender***

Please provide the beneficiary's gender (male or female).

#### ***Country of Citizenship***

1. Provide the name of the country of the beneficiary's citizenship. The name of the country should be the present day name of the country.
2. If the beneficiary holds dual citizenship or is a citizen of multiple countries, please list the beneficiary's primary country of citizenship and provide the remaining countries where the beneficiary was (or still is) considered a citizen in the Additional Explanation section.

Once you have provided your biographic information, select “Next” to continue e-filing your benefit request.

### **3.4.5 Immigration**

#### ***Entry into the United States***

1. Indicate the beneficiary's immigration status at the time of your entry into the United States. If you are not a U.S. citizen or lawful permanent resident of the United States, this status can usually be found on the Form I-94 issued to the beneficiary at the U.S. port of entry.
2. If the beneficiary has been in the United States previously, provide number of times the beneficiary entered the United States, the location where the beneficiary entered, and the beneficiary's status held each time he or she reentered the U.S. (e.g., the beneficiary entered the U.S. as a B-2 visitor twice – 3/1994 and 7/2010 – at the San Ysidro port of entry) in the Additional Explanation section.
3. You can provide additional information for the beneficiary by selecting “*Add Additional Page Information*” and list prior entries and departures in the space provided.

#### ***Most Recent Arrival (Arrival-Departure Record)***

1. If the beneficiary was issued a Form I-94, I-94W, or I-95 and still has it in his or her possession, indicate that by selecting “Yes” and provide your Arrival-Departure Record Number.
2. If the beneficiary was issued a Form I-94, I-94W, or I-95 but it is no longer in his or her possession due to loss, theft, or mutilation or damage, indicate that by selecting “No” and provide the beneficiary's explanation for not having the Form I-94, I-94W, or I-95.
3. If the beneficiary is a Canadian citizen who entered the United States as a visitor for business or pleasure, select “B1/B2” from the drop down menu.
4. If the beneficiary entered the United States illegally, select “EWI” from the drop down menu.
5. If the beneficiary entered legally but subsequently violated his or her status or overstayed his or her authorized period of admission, enter the date your period of authorized admission expired.
6. You must submit a scanned copy of the beneficiary's Form I-94, I-94W, or I-95 as evidence of the beneficiary's status when you file this benefit request.

#### ***Expiration of the Period of Admission***

1. Enter the expiration date of the beneficiary's I-94 in a month-date-year format (mm/dd/yyyy). The picture below shows you where you can find the expiration date on the beneficiary's I-94.

Departure Number: 813106636 11

Date of Entry: FEB 05 2005

Department of Homeland Security  
CBP I-94 A (11/04) Departure Record

Expiration Date: 09/17/2007

Family Name: SAMPLE

First (Given) Name: AHMET

Country of Citizenship: PAKISTAN

Birth Date (Day Mo Yr): 22, 12, 50

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2. If the beneficiary entered as an asylee or refugee, the beneficiary may have been admitted “indefinitely” on his or her Form I-94. If so, select “D/S” (for Duration of Status) from the drop-down menu.
3. If the beneficiary entered as a student, he or she probably was admitted for “duration of status” (D/S). If so, select “D/S”(for Duration of Status) from the drop-down menu .
4. If the beneficiary entered the United States under the Visa Waiver Program (VWP) and was admitted via the Visa Waiver Program Electronic System for Travel Authorization (ESTA), the beneficiary’s passport should contain a U.S. admission stamp with his or her class of admission (“WT/WB”) and the expiration date. Enter the date in the space provided.

### Immigration Status

1. Provide the beneficiary’s immigration status at the time he or she last entered the United States.
2. Please provide the beneficiary’s status at the time of last arrival, the location where the beneficiary entered and the date of last the beneficiary’s entry into the United States. Provide the date of last entry in a month-day-year (mm/dd/yyyy) format.
3. Provide the beneficiary’s current immigration status.
4. If the beneficiary already has an A-number, select “Yes” in the drop down menu and then insert the 10-digit number (A012345678) in the space provided.

5. If the beneficiary's status has expired, enter the date the beneficiary's status expired in the field provided. If the beneficiary entered the country without inspection, admission, or parole, select "EWI" from the drop down menu.
6. If the beneficiary has a valid and current immigration document issued by USCIS, ICE, CBP, or a Department of Justice Immigration Court, please provide the immigration status and document number in the "Additional Page Information" section. You will be asked to submit a scanned copy of the beneficiary's document.

Once you have provided the beneficiary's biographic information, select "Next" to continue e-filing your benefit request.

### **3.4.6 Government Identification**

#### ***U.S. Government-Issued Identity Card or Document***

1. If the beneficiary has a government-issued identity card or document, select "Yes". The government-issued identity card or document must have a photo of the beneficiary.
2. Provide information from at least one of the documents listed. You also will be required to scan and upload a copy of the beneficiary's document into USCIS ELIS.
3. If the beneficiary has a passport, select "Passport" and provide the name of the issuing country, the passport number, and expiration date in the spaces provided.
4. If the beneficiary has a U.S. State-issued driver's license, select "U.S. Driver's License" and provide the name of the issuing State or U.S. Territory, the driver's license number, and the expiration date in the spaces provided.
5. If the beneficiary has any other U.S. government-issued photo identification document, select "Other Government-Issued Photo ID" and describe the type of document. Provide any available document number and the expiration date in the space provided.

#### ***Foreign Government-Issued Identity Card or Document***

1. If the beneficiary has a foreign government-issued identity card or document, select "Other Government-Issued Photo ID". The foreign government-issued identity card or document must have a photo of the beneficiary.
2. If the foreign identity card or document has an ID number, please enter the number in the space provided.
3. If the foreign identity card or document has an expiration date, please enter the date in the space provided. Enter the expiration date in a month-day-year format (mm/dd/yyyy).

#### ***No Identification Card Available***

1. If the beneficiary does not have a government-issued identity card or document, select "No".

2. Provide the beneficiary's explanation for why he or she does not have an identity document in the "Additional Page Information" section.

Once you have provided all of the beneficiary's immigration information, select "Next" to continue e-filing your benefit request.

## **3.5 Supplemental Biographic Information**

### **3.5.1 Employment History**

1. Provide the name of your current (or most recent) employer and enter the start and end date (if applicable). Enter the dates in a month-day-year format (mm/dd/yyyy).
2. Provide your employment history, in chronological order (i.e., the most recent job to the oldest), for the last five years.
3. When you have included each employer, click "Add" to include your employment history in your benefit request.

### **3.5.2 Education History**

1. Provide the name, address, and dates of attendance for each educational institution you attended, beginning with the most recent institution first.
2. Enter the dates of attendance in a month-day-year format (mm/dd/yyyy).
3. Indicate which degree(s)(if any) you received from these educational institutions and your field of study.
4. When you have included the requested information, click "Add" to include your education history in your benefit request.

### **3.5.3 Residence History**

1. Provide address information for each place you have lived in the past 5 years, starting with the most recent first.
2. Enter the dates you lived at each location using the month-day-year format (mm/dd/yyyy).
3. When you have provided the requested information, click "Add" to include your residence history in your benefit request.

## **3.6 Evidence**

### **3.6.1 Evidence Needed**

1. After you have completed the form, you will be asked to submit required evidence. USCIS ELIS will display a list of documents needed to support your request.
2. If any documents are in a foreign language, you also must provide an English translation for the document.
3. When you are ready with the required or requested documents, select “Next” to continue to the next screen and begin uploading your supporting documents into USCIS ELIS.

### **3.6.2 Evidence Instructions**

1. You are required to provide supporting evidence to establish your eligibility for your benefit request. For benefit requests filed in USCIS ELIS, you will need to scan your documents and upload them into the system. USCIS ELIS will only accept certain file types. Please make sure your documents meet the specified file types.
2. When scanning your documents, please make sure they are clear and readable (i.e., not too dark, without streaks, visibly legible handwriting, visible facial features).
3. If any documents are in a foreign language, you also must provide an English translation for the document.
4. When you are ready with the required or requested documents, select “Next” to continue to the next screen and begin uploading your supporting documents into USCIS ELIS.

## 3.7 Preparer

This section must be filled out by you if you did not complete this benefit request by yourself.

### 3.7.1 General Information

#### **DO NOT COMPLETE THE PREPARER SECTION IF:**

- If you completed this benefit request by yourself, with no assistance from another individual.
- If a person helped you only by demonstrating how to use a computer or electrical equipment to complete this benefit request.
- If a licensed attorney is representing you as a client or a Department of Justice, Board of Immigration Appeals (BIA) accredited representative completed this benefit request on your behalf. **If you are represented do not file this benefit request using your USCIS ELIS Account.**

Attorneys and accredited representatives must establish their own USCIS ELIS account and submit a *G-28, Notice of Entry or Appearance as an Attorney or Accredited Representative*, before they can file a benefit request on your behalf.

#### **COMPLETE THE PREPARER SECTION IF:**

- Any person (e.g., business associate, relative, neighbor, or friend) read the questions to you, translated the questions so you could understand them in your native language, provided views on the type of response required, or addressed any other substantive matters related to your benefit request.
- The preparer is not an attorney or BIA-accredited representative.
- The preparer is an attorney or BIA-accredited representative who only prepared the benefit request and **will not be representing you** before the agency.

### 3.7.2 Required Preparer Information

#### ***Preparer Name***

You must provide the preparer's full legal name.

#### ***Preparer's Business or Organization (if applicable)***

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If the preparer is affiliated with a business or organization (including a charitable organization), provide the name of the preparer's business or organization.

### ***Preparer's Mailing Address and Contact Information***

1. You must provide the preparer's complete mailing address.
2. You must provide the preparer's daytime phone number including any extension number.

### ***Preparer Compensation and Relationship***

1. If you paid the preparer to assist you in completing this benefit request, select "Yes" from the drop down menu.
2. If you know the preparer from a previous relationship or interaction, select "Yes" from the drop down menu and describe the nature of the relationship in the space provided.

## **3.8 Review of Benefit Request(s)**

1. After you (or your representative) have completed putting in information, USCIS ELIS will display a completed form on the screen. You will be able to review your entire application at this point. You should print the completed benefit request by selecting "Printer Friendly" and then "Print" from the toolbar at the top of the screen.
2. If you discover that you have made an error or that you need to add additional information, you may return to any section of your benefit request by using the navigation bar on the left-hand side of the screen.
3. Once you (and your representative, if applicable) have completed review of your benefit request, select "Next" to proceed to final submission and e-signing of your benefit request.

## **3.9 Submission and E-Sign**

1. You are required to read the Attestation and Privacy Act statement.
2. Once you have read the statements, you must check the box (✓) certifying that you have read and agree to statements.
3. You also are required to print your full legal name as it appears on your birth certificate or government-issued identity document and your USCIS ELIS Account number.

## **3.10 Pay.gov**

USCIS ELIS uses Pay.gov, a secure United States government website, to collect the fees for benefit requests. You will see a table that shows you how much you must pay to file your benefit in USCIS ELIS.

You are asked to provide your billing address where you received information or monthly statements (if different from your current physical address), as reflected on the credit card you intend to use.

Pay.gov offers a variety of ways to pay for your benefit request online. Payment options include:

- E-check (an electronic check that withdraws funds directly from your bank account)
- Credit Cards (e.g., MasterCard, Visa, American Express, and Discover).

### **3.11 Confirmation**

Congratulations! You have successfully filed your benefit request in USCIS ELIS.

We recommend that you electronically save a copy of your completed benefit request or print a copy for your records. We also recommend that you electronically save the confirmation page or print a copy for your records.