

From: U.S. Citizenship and Immigration Services [mailto:uscis@public.govdelivery.com]
Sent: Tuesday, January 12, 2016 11:19 AM
To:
Subject: New Law Increases H-1B and L-1 Petition Fees

The Consolidated Appropriations Act, 2016 (Public Law 114-113), signed into law by President Obama on December 18, 2015, increases fees for certain H-1B and L-1 petitioners. These petitioners must submit an additional fee of \$4,000 for certain H-1B petitions and \$4,500 for certain L-1A and L-1B petitions postmarked on or after December 18, 2015.

The additional fees apply to petitioners who employ 50 or more employees in the United States, with more than 50 percent of those employees in H-1B or L (including L-1A and L-1B) nonimmigrant status. These petitioners must submit the additional fees with an H-1B or L-1 petition filed:

- Initially to grant status to a nonimmigrant described in subparagraph (H)(i)(b) or (L) of section 101(a)(15) of the Immigration and Nationality Act; or
- To obtain authorization for a nonimmigrant in such status to change employers.

This fee is in addition to the base processing fee, Fraud Prevention and Detection Fee, American Competitiveness and Workforce Improvement Act of 1998 fee (when required), as well as the premium processing fee, if applicable. Public Law 114-113 fees will remain effective through September 30, 2025.

USCIS is in the process of revising [Form I-129, Petition for a Nonimmigrant Worker](#) and [Form I-129S, Nonimmigrant Petition Based on Blanket L Petition](#) to reflect the provisions of Public Law 114-113. Petitioners should continue to complete **Item Numbers 1.d.** and **1.d.1** of **Section 1** of the H-1B and H-1B1 Data Collection and Filing Fee Exemption Supplement (Page 19 of Form I-129) and **Item Numbers 4.a.** and **4.b.** of the L Classification Supplement (Page 22 of Form I-129).

USCIS may begin rejecting petitions received on or after Feb. 11, 2016 that do not complete **Item Numbers 1.d.** and **1.d.1** of **Section 1** of the H-1B and H-1B1 Data Collection and Filing Fee Exemption Supplement and **Item Numbers 4.a.** and **4.b.** of the L Classification Supplement, or include the additional Public Law 114-113 fee, if applicable. During the 30 day period immediately following this web alert, USCIS may issue a Request for Evidence (RFE) to determine whether the additional fee applies to the petition. To avoid an RFE, petitioners should complete the questions on the Form I-129 noted in the paragraph above and submit the applicable fee when required. Because an RFE will be issued for the fee, rather than a rejection for the omission of the fee, USCIS will maintain the original filing date as the receipt date. Petitioners should wait to respond to the RFE before sending in the additional fee or an explanation of why the new fee does not apply.

If you previously submitted a petition with the additional fee and believe the fee was not required, please contact the National Customer Service Center at 800-375-5283 (TDD for the deaf and hard of hearing: 800-767-1833).

Please do not reply to this message. See our [Contact Us](#) page for phone numbers and e-mail addresses.



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