

TABLE OF CHANGES – INSTRUCTIONS
Form I-129, Petition for A Nonimmigrant Worker
OMB Number: 1615-0009
Date: 12/23/2016

Reason for Revision: Updates are required for Form I-129 due to a Fee Increase.

| Current Page Number and Section | Current Text | Proposed Text |
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| <p>Pages 25-26, What Is the Filing Fee?</p> | <p>[Page 25]</p> <p>The base filing fee for this petition is \$325.</p> <p>American Competitiveness and Workforce Improvement Act (ACWIA) fee for certain H-1B and H-1B1 Petitions</p> <p>A petitioner filing Form I-129 for an H-1B nonimmigrant or for a Chile or Singapore H-1B1 Free Trade Nonimmigrant must submit the \$325 petition filing fee and, unless exempt under Section 2. of the H-1B Data Collection and Filing Fee Exemption Supplement, an additional fee of either \$1,500 or \$750. To determine which ACWIA fee to pay, complete Section 2., of the H-1B Data Collection and Filing Fee Exemption Supplement.</p> <p>A petitioner filing Form I-129 who is required to pay the ACWIA fee may make the payment in the form of a single check or money order for the total amount due or as two checks or money orders, one for the ACWIA fee and one for the petition fee.</p> <p>Fraud Prevention and Detection fee for H-1B, L-1, and H-2B Petitions</p> <p>A petitioner seeking initial approval of H-1B or L nonimmigrant status for a beneficiary, or seeking approval to employ an H-1B or L nonimmigrant currently working for another petitioner, must submit a \$500 Fraud Prevention and Detection fee. Petitioners for Chile or Singapore H-</p> | <p>[Page 25]</p> <p>The base filing fee for Form I-129 is \$460.</p> <p>NOTE: The filing fee is not refundable, regardless of any action USCIS takes on this petition. DO NOT MAIL CASH. You must submit all fees in the exact amounts.</p> <p>American Competitiveness and Workforce Improvement Act (ACWIA) fee for certain H-1B and H-1B1 Petitions</p> <p>A petitioner filing Form I-129 for an H-1B nonimmigrant or for a Chile or Singapore H-1B1 Free Trade Nonimmigrant must submit the \$460 petition filing fee and, unless exempt under Section 2. of the H-1B Data Collection and Filing Fee Exemption Supplement, an additional fee of either \$1,500 or \$750. To determine which ACWIA fee to pay, complete Section 2., of the H-1B Data Collection and Filing Fee Exemption Supplement.</p> <p>A petitioner filing Form I-129 who is required to pay the ACWIA fee may make the payment in the form of a single check or money order for the total amount due or as two checks or money orders, one for the ACWIA fee and one for the petition fee.</p> <p>Fraud Prevention and Detection fee for H-1B, L-1, and H-2B Petitions</p> <p>A petitioner seeking initial approval of H-1B or L nonimmigrant status for a beneficiary, or seeking approval to employ an H-1B or L nonimmigrant currently working for another petitioner, must submit a \$500 Fraud Prevention and Detection fee. Petitioners for Chile or Singapore H-</p> |

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| | <p>1B1 Free Trade Nonimmigrants do not have to pay the \$500 fee or the additional fee required under Public Law 111-230.</p> <p>Those petitioners required to submit the \$500 Fraud Prevention and Detection fee are also required to submit either an additional \$2,000 (H-1B) or \$2,250 (L-1) fee mandated by Public Law 111-230, as amended by Public Law 111-347, if:</p> <ol style="list-style-type: none"> 1. The petitioner employs 50 or more individuals in the United States; 2. More than 50 percent of those employees are in H-1B, L-1A or L-1B nonimmigrant status; and 3. The petition is filed before October 1, 2015. <p>Employers filing H-2B petitions must submit an additional fee of \$150.</p> <p>You must include payment of the fees with your submission of this form. Failure to submit the fees when required will result in rejection or denial of your submission.</p> <p>NOTE: The Fraud Prevention and Detection fee and Public Law 111-230 fee, when applicable, may not be waived. Each fee should be submitted in a separate check or money order.</p> <p>Biometrics Services fee for certain beneficiaries in the CNMI</p> <p>An additional biometrics services fee as described in 8 CFR 103.7(b) is required if the alien is lawfully present in the CNMI when applying for an initial grant of any federal nonimmigrant status. After submission of the form, USCIS will notify you about when and where to go for biometric services.</p> <p>General Fee Information</p> <p>Fees must be submitted in the exact amount and cannot be refunded. Do not mail cash.</p> | <p>1B1 Free Trade Nonimmigrants do not have to pay the \$500 fee or the additional fee required under Public Law 111-230.</p> <p>Those petitioners required to submit the \$500 Fraud Prevention and Detection fee are also required to submit either an additional \$2,000 (H-1B) or \$2,250 (L-1) fee mandated by Public Law 111-230, as amended by Public Law 111-347, if:</p> <ol style="list-style-type: none"> 1. The petitioner employs 50 or more individuals in the United States; 2. More than 50 percent of those employees are in H-1B, L-1A or L-1B nonimmigrant status; and 3. The petition is filed before October 1, 2015. <p>Employers filing H-2B petitions must submit an additional fee of \$150.</p> <p>You must include payment of the fees with your submission of this form. Failure to submit the fees when required will result in rejection or denial of your submission.</p> <p>NOTE: The Fraud Prevention and Detection fee and Public Law 111-230 fee, when applicable, may not be waived. Each fee should be submitted in a separate check or money order.</p> <p>Biometrics Services fee for certain beneficiaries in the CNMI</p> <p>An additional biometrics services fee as described in 8 CFR 103.7(b) is required if the alien is lawfully present in the CNMI when applying for an initial grant of any federal nonimmigrant status. After submission of the form, USCIS will notify you about when and where to go for biometric services.</p> <p>NOTE: The filing fee and biometric services fee are not refundable, regardless of any action USCIS takes on this petition. DO NOT MAIL CASH. You must submit</p> |
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| | <p>Use the following guidelines when you prepare your check or money order for the required fees:</p> <ol style="list-style-type: none"> 1. All checks and money orders must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency. 2. The check or money order must be made payable to the Department of Homeland Security. <p>NOTE: Spell out Department of Homeland Security. Do not use the initials “DHS” or “USDHS.”</p> <p>[Page 26]</p> <p>Notice to Those Making Payment by Check</p> <p>If you send us a check, it will be converted into an electronic funds transfer (EFT). This means we will scan your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually take 24 hours and will be shown on your regular account statement.</p> <p>You will not receive your original check back. We will destroy your original check, but we will keep a copy of it. If the EFT cannot be processed for technical reasons, you authorize us to process the copy in place of your original check. If the EFT cannot be completed because of insufficient funds, we may try to make the transfer up to two times.</p> <p>How to Check If the Fees Are Correct</p> <p>The fee on this form is current as of the edition date appearing in the lower left corner of this page. However, because</p> | <p>all fees in the exact amounts.</p> <p>Use the following guidelines when you prepare your check or money order for the Form I-129 filing fee:</p> <ol style="list-style-type: none"> 1. The check and money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; and 2. Make the check or money order payable to Department of Homeland Security. <p>NOTE: Spell out U.S. Department of Homeland Security; do not use the initials “USDHS” or “DHS.”</p> <p>[Page 26]</p> <p>Notice to Those Making Payment by Check. If you send us a check, USCIS will convert it into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually take 24 hours and your bank will show it on your regular account statement.</p> <p>You will not receive your original check back. We will destroy your original check, but will keep a copy of it. If USCIS cannot process the EFT for technical reasons, you authorize us to process the copy in place of your original check. If your check is returned as unpayable, USCIS will re-submit the payment to the financial institution one time. If the check is returned as unpayable a second time, we will reject your application and charge you a returned check fee.</p> <p>How to Check If the Fees Are Correct</p> <p>Form I-129’s filing fee is current as of the edition date in the lower left corner of this page. However, because USCIS fees change periodically, you can verify that the</p> |
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| | <p>USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below:</p> <ol style="list-style-type: none"> 1. Visit the USCIS Web site at www.uscis.gov, select “FORMS,” and check the appropriate fee; or 2. Call the USCIS National Customer Service Center at 1-800-375-5283 and ask for the fee information. For TDD (deaf or hard of hearing) call: 1-800-767-1833. <p>NOTE: If your petition requires payment of a biometrics services fee for USCIS to take your fingerprints, photograph or signature or you are requesting premium processing service, you can use the same procedure to obtain the correct biometric fee.</p> | <p>fees are correct by following one of the steps below.</p> <ol style="list-style-type: none"> 1. Visit the USCIS website at www.uscis.gov, select “FORMS,” and check the appropriate fee; or 2. Call the USCIS National Customer Service Center at 1-800-375-5283 and ask for the fee information. For TTY (deaf or hard of hearing) call: 1-800-767-1833. <p>NOTE: If your petition requires payment of a biometrics services fee for USCIS to take your fingerprints, photograph or signature or you are requesting premium processing service, you can use the same procedure to obtain the correct biometric fee.</p> |
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