

H-1B AND L-1 FEE INCREASE PURSUANT TO P.L. 111-230

Immigration Alert
November 22, 2010

On August 13, 2010, President Obama signed Public Law 111-230, which requires the submission of an additional fee of \$2,000 for certain H-1B petitions and \$2,250 for certain L-1A and L-1B petitions. The additional fee applies to H-1B or L-1 petitioners that employ 50 or more employees in the United States with more than 50 percent of their employees in the United States in H-1B, L-1A, or L-1B nonimmigrant status. The new fee does not apply to extension requests filed by the same petitioner for the same employee.

USCIS recommends that all H-1B, L-1A, and L-1B petitioners include, as part of the filing packet, the new fee or a statement or other evidence outlining why this new fee does not apply. Where the fee or documentation is not submitted with the filing, or where questions remain, USCIS may issue a Request for Evidence to determine whether the additional fee applies to the petition. Once the revised Form I-129 and Form I-129S are in place, USCIS will reject covered petitions submitted without the new fee.

Attorneys

Lance Madden

Practices & Industries

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