

Department of Homeland Security  
U.S. Citizenship and Immigration Services

## I-129W, H-1B Data Collection and Filing Fee Exemption

**Petitioner's Name**

### Part A. General Information.

**Employer Information** - (check all items that apply)

- 1. Is the petitioner a dependent employer?  No  Yes
- 2. Has the petitioner ever been found to be a willful violator?  No  Yes
- 3. Is the beneficiary an exempt H-1B nonimmigrant?  No  Yes
  - a. If yes, is it because the beneficiary's annual rate of pay is equal to at least \$60,000?  No  Yes
  - b. Or is it because the beneficiary has a master's or higher degree in a speciality related to the employment?  No  Yes

Beneficiary's Last Name	First Name	Middle Name
<input type="text"/>	<input type="text"/>	<input type="text"/>

Attention To or In Care Of	Current Residential Address - Street	Apt. #
<input type="text"/>	<input type="text"/>	<input type="text"/>

City	State	Zip/Postal Code
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Beneficiary's Highest Level of Education.** Please check one box below, and answer the "Yes" or "No" question.

- NO DIPLOMA
- HIGH SCHOOL GRADUATE - high school DIPLOMA or the equivalent (example: GED)
- Some college credit, but less than one year
- One or more years of college, no degree
- Associate's degree (for example: AA, AS)
- Bachelor's degree (for example: BA, AB, BS)
- Master's degree (for example: MA, MS, MEng, MEd, MSW, MBA)
- Professional degree (for example: MD, DDS, DVM, LLB, JD)
- Doctorate degree (for example: PhD, EdD)

Yes  No Has the beneficiary of this petition earned a master's or higher degree from a U.S. institution of higher education, as defined in 20 U.S.C. section 1001(a)?

Major/Primary Field of Study.

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Rate of Pay Per Year.

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LCA Code.

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NAICS Code.

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### Part B. Fee Exemption and/or Determination

In order for USCIS to determine if you must pay the additional **\$1,500.00** or **\$750.00** fee, please answer all of the following

1.  Yes  No Are you an institution of higher education as defined in the Higher Education Act of 1965, section 101(a), 20 U.S.C. section 1001(a)?
2.  Yes  No Are you a nonprofit organization or entity related to or affiliated with an institution of higher education, as such institutions of higher education are defined in the Higher Education Act of 1965, section 101(a), 20 U.S.C. section 1001(a)?
3.  Yes  No Are you a nonprofit research organization or a governmental research organization, as defined in 8 CFR 214.2(h)(19)(iii)(C)?

4.  Yes  No Is this the second or subsequent request for an extension of stay that you have filed for this alien?
5.  Yes  No Is this an amended petition that does not contain any request for extensions of stay?
6.  Yes  No Are you filing this petition in order to correct a USCIS error?
7.  Yes  No Is the petitioner a primary or secondary education institution?
8.  Yes  No Is the petitioner a non-profit entity that engages in an established curriculum-related clinical training of students registered at such an institution?

If you answered "Yes" to any of the questions above, you are not required to submit the additional filing fee of **\$1,500.00** or **\$750.00**. If you answered "No" to all questions, please answer **Question 9**.

9.  Yes  No Do you currently employ a total of no more than 25 full-time equivalent employees in the United States, including any affiliate or subsidiary of your company?

If you answered "Yes" to **Question 9** above, then you are required to pay an additional fee of **\$750.00**. If you answered "No," you are required to pay an additional fee of **\$1,500.00**.

**NOTE:** On or after **March 8 2005**, a U.S. employer 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 U.S. employer, must submit an additional \$500 fee. This additional **\$500.00** Fraud Prevention and Detection fee was mandated by the provisions of the H-1B Visa Reform Act of 2004. **There are no exemptions from this fee.**

**Part C. Numerical Limitation Exemption Information.**

1.  Yes  No Are you an institution of higher education as defined in the Higher Education Act of 1965, section 101(a), 20 U.S.C. section 1001(a)?
2.  Yes  No Are you a nonprofit organization or entity related to or affiliated with an institution of higher education, as such institutions of higher education are defined in the Higher Education Act of 1965, section 101(a), 20 U.S.C. section 1001(a)?
3.  Yes  No Are you a nonprofit research organization or a governmental research organization, as defined in 8 CFR 214.2(h)(19)(iii)(C)?
4.  Yes  No Is the beneficiary of this petition a J-1 nonimmigrant alien who received a waiver of the two-year foreign residency requirement described in section 214 (l)(1)(B) or (C) of the Act?
5.  Yes  No Has the beneficiary of this petition been previously granted status as an H-1B nonimmigrant in the past six years and not left the United States for more than one year after attaining such status?
6.  Yes  No If the petition is to request a change of employer, did the beneficiary previously work as an H-1B for an institution of higher education, an entity related to or affiliated with an institution of higher education, or a nonprofit research organization or governmental research institution defined in questions **1, 2 and 3** of **Part C** of this form?
7.  Yes  No Has the beneficiary of this petition earned a master's or higher degree from a U.S. institution of higher education, as defined in the Higher Education Act of 1965, section 101(a), 20 U.S.C. section 1001(a)?

I certify under penalty of perjury, under the laws of the United States of America, that this attachment and the evidence submitted with it is true and correct. If filing this on behalf of an organization or entity, I certify that I am empowered to do so by that organization or entity. I authorize the release of any information from my records, or from the petitioning organization or entity's records, that the U.S. Citizenship and Immigration Services may need to determine eligibility for the exemption being sought.

**Certification.**

**Signature**

**Print Name**



**Title**

**Date (mm/dd/yyyy)**