

Processing Worksheet for FY09 H-1B Filings

Please be sure to verify the following (this form is a worksheet to facilitate your submission of an H-1B petition. It does not need to be submitted to USCIS):

☐ All checks are signed and made payable to the "Department of Homeland Security" or "United States Citizenship and Immigration Services".

☐ Proper fees are enclosed:
☐ Base fee of \$320
☐ ACWIA fee of \$750/\$1,500 (if/as applicable)
☐ Fraud fee of \$500 (if applicable)
☐ Premium Processing fee of \$1,000 (if applicable)

☐ Petition is signed in original ink (preferably blue) on pages 4, 7, and 11 of Form I-129.

☐ All sections of the I-129 and H Supplement forms are completed and all required Form I-129 pages are enclosed.

☐ Form I-907, with revision date of 7/30/07, is completed, signed in the original, and enclosed (if seeking Premium Processing Service).

☐ Requested employment start date is on/after 10/1/08 unless beneficiary is exempt from the cap (start date can be at any time). Petitioner may not file more than six months in advance of the requested start date.

☐ DOL endorsed LCA is signed by petitioner and enclosed.

☐ Petition is being mailed to the CSC or VSC consistent with filing jurisdictions listed at the USCIS.gov website.

☐ I have closely reviewed and verified that all questions on Form I-129 page 11 Part C are answered correctly.

☐ Form I-129 revision date is 3/17/05 or later.

☐ H-1B Regular Cap

- Requested start date must be on/after 10/1/08 and within 6 months of filing date; and
- Includes current H-1Bs that were previously cap exempt and are now seeking to change to cap-subject employment (as shown by a "yes" answer to question 6 in Part C of Form I-129 page 11).

☐ H-1B Masters Exemption

- Requested start date must be on/after 10/1/08 and within 6 months of filing date
- Beneficiary has earned a Masters (or higher) degree from a United States educational institution (as shown by "yes" answers to both question 5 in Part A of Form I-129 page 10 and question 7 in Part C of I-129 Form page 11).

☐ Chile/Singapore H-1B1 cap

- Requested start date must be on/after 10/1/08 and within 6 months of filing date
- Beneficiary is a national of Chile or Singapore (as shown by checking Part 2 Question 5f on the petition and indicating "Chile or Singapore" in the "Country of Citizenship" block in Part 3)
- Completed Free Trade Supplement page submitted

☐ H-1B cap-exempt or non-cap H-1B EOS

- Petition is cap exempt or otherwise not cap-subject (as shown by a "yes" answer to question 1, 2, 3, 4, or 5 in Part C of Form I-129, page 11.)
- Includes current H-1Bs that were previously counted towards the cap and are seeking an extension of stay.
- Includes amended petitions where the petitioner is seeking to notify USCIS of changes to employment conditions of a current H-1B beneficiary.