

Optional Processing Worksheet for FY 2010 H-1B Filings

**This is an optional worksheet to assist H-1B petitioners submit an H-1B petition.
Do not submit this worksheet to USCIS.**

- All checks are signed and made payable to the “Department of Homeland Security” or “United States Citizenship and Immigration Services.” If the petition is submitted with the wrong filing fee, it will be rejected as improperly filed. **If one or more of the required fees are returned due to insufficient payment, the H-1B petition will NOT retain the original filing date.** H-1B cap petitions with non-payable fees will be given a new filing date the day the fee deficiency is corrected, as long as the cap has not been met. If the new filing date is after the numerical cap has been met, the petition will be rejected.
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- 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)
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- Petition includes original signatures (preferably in blue ink) on pages 4, 7, and 15 of Form I-129.
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- All sections of the Form I-129 and H Supplement forms (with revision date of 3/17/05 or later) are completed and all required Form I-129 pages are enclosed.
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- Form I-907 (with revision date of 7/30/07) is completed, signed in the original, and enclosed (if seeking Premium Processing Service).
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- Requested employment start date is on/after 10/1/09 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.
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- DOL endorsed LCA is signed by petitioner and enclosed.
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- Petition is being mailed with appropriate labels to the California Service Center (CSC) or Vermont Service Center (VSC) consistent with filing jurisdictions and instructions listed at www.uscis.gov.
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- I have closely reviewed and verified that all questions on Form I-129 pages 14 and 15 Part C are answered correctly.

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H-1B Regular Cap

- Requested start date must be on/after 10/1/09 and within six months of filing date.
 - 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 14).
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H-1B Masters Exemption

- Requested start date must be on/after 10/1/09 and within six 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 13 and question 7 in Part C of I-129 Form page 15).
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Chile/Singapore H-1B1 Cap

- Requested start date must be on/after 10/1/09 and within six months of filing date
 - Beneficiary is a national of Chile or Singapore (as shown by checking Part 2 Question 5f on the Form I-129 and indicating “Chile or Singapore” in the “Country of Citizenship” block in Part 3)
 - Completed Free Trade Supplement page submitted
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H-1B Cap-Exempt or Non-Cap H-1B Extension of Stay

- Petition is cap exempt or otherwise not cap-subject (as shown by a “yes” answer to question 1, 2, or 3 in Part C of Form I-129, page 14.)
- 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.