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**5. H-1B Filing Fees: The $1500.00 Scholarship Fund Filing Fee and $500.00 Fraud Prevention and Detection Fee**

US law imposes three filing fees on H-1B petitions.

The standard $325.00 H-1B petition filing fee must be paid by the employer or according to some interpretations of the law, a third party, as long as it is not paid by or reimbursed by the employee.

The$1500.00 filing fee is utilized for scholarship programs to train individuals in positions which are now being taken by H-1B visa holders.

All employers are required to pay the $1500.00 filing fee, unless they qualify for one of the following exemptions:

1. An employer that is a primary or a secondary institution of higher education as defined in 20 U.S.C. §1001 (a) of the Higher Education Act of 1965 and 8 CFR 214.2(h) (19) (iii).

2. A non-profit entity related to or affiliated with any such institution.

3. A non-profit entity which engages in established curriculum-related clinical training of students registered at any such institution.

 4. A non-profit research organization or governmental research organization, as defined under 8 CFR 214.2(h) (19) (iii).

The filing fee is not required if the petition is submitted to amend or correct a service error; to amend the petition, but not requesting additional time; or if this is a second or subsequent extension of stay filed by this employer for this employee. The fee is $750.00 if the employer has less then 25 employees. The employer must pay this fee and cannot pass it on to the employee or a third party

The $500.00 filing fee is utilized by the USCIS to combat Immigration fraud. The payment is required on the following cases:

 1. Initial petitions for Non Immigrant Status

 2. Petitions for change of employers.

The employer must pay this fee and cannot pass it on to the employee or third party.

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