

CHANGES IN H-1B REGULATIONS: FRAUD PREVENTION & DETECTION FEE

April 6, 2005

On December 8, 2004, President Bush signed the "H-1B Visa Reform Act of 2004." On March 8, 2005, provisions of this act which affect UB employers and foreign national employees went into effect. This message is to provide additional information about the new Fraud Prevention and Detection Fee.

New Fraud Prevention and Detection Fee

Effective March 8, 2005, certain H-1B petitions filed for UB employees must contain a \$500 Fraud Prevention and Detection Fee. H-1B petitions subject to this fee are those filed for new employees who are: 1) outside the U.S. and seeking to enter the U.S. in H-1B status, 2) in the U.S. and seeking a change-of-status from another visa category, and 3) already in H-1B status and transferring to UB from another employer. Only individuals in H-1B status who are seeking an extension of their H-1B to continue working for the same employer are exempt from this new fee.

Please note that **the Fraud Prevention and Detection Fee must be paid by the employer** and, therefore, must be drawn on an employer check. The USCIS will not accept personal checks for this fee.

If you need additional information about these new regulations, please contact Immigration Services, 210 Talbert Hall, North Campus (Tel. 645-2355, E-mail: immgsvc@buffalo.edu).