

### **H-1B Anti-fraud Fee**

On December 8, 2004, President Bush signed the Fiscal Year Consolidated Appropriations Act (H.R. 4818) into law. This law incorporates the "H-1B Visa Reform Act of 2004" which contains several provisions affecting the H-1B specialty worker category.

While there are several provisions affecting how the Office of International Student & Scholar Services (OISSS) processes H-1B applications, the key provision affecting Brown applicants as of March 8, 2005 is that an additional \$500 fee will have to accompany applications for initial H-1B status and requests to transfer H-1B status. Revenue from this fee is to be shared by the US Department of Homeland Security, Department of State, and Department of Labor to cover the costs of investigating employer fraud.

Departments will need to submit a separate check, made payable to Department of Homeland Security, in the amount of \$500 with the Departmental Service request.

Please note that the \$500 fee is considered by this law to be an employer's obligation; it may not be paid by the employee.

Brown University Controllors Office has created a sub code especially for the visa application checks that departments request for Homeland Security and USCIS. This sub code is 3115 which has the following explanation: **Visa Application/Expense**

Payments related to the processing of visa charges that are required to be paid to the Department of Homeland Security.

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