



U.S. Citizenship
and Immigration
Services

Public Notice

March 15, 2005

USCIS TO ALLOW TEMPORARY USE OF OLD FORM I-129

Use of old Petition for a Nonimmigrant Worker form to continue through April 30, 2005

Washington, DC –U.S. Citizenship and Immigration Services (USCIS) announced today that H-1B petitioners seeking an H-1B number pursuant to the H-1B Visa Reform Act for FY 2005 may file the new Form I-129, *Petition for Nonimmigrant Worker*, (edition date 3-11-05) **or** may file the old Form I-129 (edition date 12-10-01) and the old Form I-129W (edition date 2-14-02) through April 30, 2005.

U.S. petitioners filing the old Form I-129 (edition date 12-10-01) must complete the data field in Part 5, marked “Current number of employees.” In order for USCIS to comply with the reporting requirements of the H-1B Visa Reform Act (Public Law 108-447), petitioners filing the old Form I-129W (edition date 2-14-02) must also complete Part A, section “Beneficiary’s Highest Level of Education,” by: (1) checking the appropriate box indicating Master’s, Professional or Doctorate degree; (2) clearly annotating next to the selection the phrase – “U.S. earned;” and (3) providing the name and location of the U.S institution of higher education.

Starting May 1, 2005, all H-1B petitioners must use the new form I-129 (edition date 3/11/05).

– USCIS –

On March 1, 2003, U.S Citizenship and Immigration Services became one of three legacy INS components to join the U.S. Department of Homeland Security. USCIS is charged with fundamentally transforming and improving the delivery of immigration and citizenship services, while enhancing our nation's security.