



THE ABCS OF IMMIGRATION

The HR Guide to Employment-Based U.S.
Nonimmigrant Visas and Green Cards

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As a human resources professional, you're tasked with finding the right talent to help your company prosper. Many times you'll find the best candidate for the position close to home. However, as you work to fill higher-skilled positions, you may need to expand your search into the global job market, which adds a new, complex element to the hiring process — securing a work visa.

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Due to the nuances of each hiring situation and candidate, there are many different types of U.S. nonimmigrant visas available.

The ABCs of Immigration: The HR Guide to U.S. Immigrant Visas and Green Cards provides a comprehensive overview of nine U.S. nonimmigrant visa types, as well as employment-based green cards.

The important details of each employment-based visa (e.g. H-1B, E-3, O-1) and the green card category are covered in this guide, which is divided into two sections: visas meant for temporary stays in the U.S. and green cards intended for permanent residency.

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B VISA

The **B-1 Temporary Business Visitor visa** is commonly used by foreign nationals who need to enter the U.S. to attend or receive short-term training, to attend conferences, for contract negotiations or for in-person consulting.

Who's Eligible?

Foreign nationals who are entering the U.S. for limited business purposes are eligible for a B-1 visa. The B-1 does not allow for the foreign national to work in the U.S. Business purposes can include the following:

- **Attending meetings, trainings, seminars and negotiating contracts.**

In order to qualify, the business person must have:

- Funds to cover expenses throughout the stay
- No compensation by a U.S. employer during the trip
- Residence and country ties in the home country with no interest in abandoning those ties
- Intent to leave the U.S. at the end of their visit

Visa Waiver

Citizens in select countries can travel to the U.S. for a stay of 90 days or less without a U.S. visa. In order to travel under the Visa Waiver Program, the traveler must have completed the **Electronic System for Travel Authorization (ESTA)** process prior to the trip. Persons admitted under the Visa Waiver Program cannot extend or change their status while in the U.S. For a full list visit: <http://www.cbp.gov/travel/international-visitors/esta>.





The B-1 visa itself can be valid for up to 10 years, depending on the country of citizenship. Consult an attorney to learn whether your employee's B-1 visa validity period exceeds the standard time allotment.



Government Fees

Consular filing fee: \$185

Premium processing: There is no expedited application processing available for B-1 visas applied for at U.S. Consulates or if filing a change of status or extension with USCIS.

Dependents

Spouses and children of B-1 visa holders are eligible to apply for B-2 visas to accompany the B-1 visa holder.

KEY EMPLOYER TAKEAWAYS



Visitors are not permitted to accept employment or work in the U.S.

Acceptable reasons for travel include attending contract negotiations, business meetings, short-term training, conferences and in-person consulting sessions.

U.S. Employer Document Checklist

- Itinerary for trip
- Catalogs, brochures or other types of marketing literature
- An invitation letter provided by the U.S. entity inviting the B-1 visitor to the U.S.
- Acknowledgment letter from foreign employer confirming the trip and the reasons it will benefit the foreign national's employment abroad

Foreign Employee Document Checklist

- Proof of funds to support trip
- Digital photo for DS-160, the Electronic Consular Application
- Resume or curriculum vitae
- Flight itinerary
- Evidence of intent to depart the U.S.
- Evidence that establishes where the employee will stay in the U.S.
- Passport
- Employment contract with the foreign employer, if applicable
- Evidence of connections back to home country (leases, bank records, etc.)

E VISA

The U.S. maintains commerce and navigation treaties with various countries around the world to encourage mutual trade and business investment. U.S. Consulates, Embassies and U.S. Citizenship and Immigration Services (USCIS) grant visas for select work-authorized purposes for people originating from these treaty countries. This section will cover:

- **E-2: Treaty Investor**
- **E-3: Certain Specialty Occupation Professionals from Australia**

Who's Eligible?

Foreign nationals sharing the same nationality as the company or person that owns the sponsoring U.S. entity may apply for an E-2 visa.

There are three types of individuals eligible for an E-2 visa:

- A **foreign national investor** with a sizable stake in a U.S. entity (At least 50% ownership must be held at all times)
- A **managerial or executive employee** of an investing corporation maintaining a controlling interest at all times, with **at least 50% ownership**
- An **essential employee of an investing corporation** with key skills that allow for performing specific job functionalities

The salary for the position must meet minimum prevailing wage requirements.

Treaty Countries

The nationality of both the employee and sponsoring U.S. company must be the same and be included in the list of E-2 visa treaty countries. For a full list visit: <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/fees/treaty.html>

Special Investor Requirements

The investment must:

- Be sufficient to ensure the success of the operation
- Lead to a fully operational commercial or entrepreneurial undertaking
- Generate income beyond solely providing a living for the investor's family, or it should majorly impact the U.S. economy
- Be at risk commercially, and the funds must be controlled by the investor*

*Loans secured with assets don't qualify



Each time the foreign national enters the U.S., no matter how little time is left on the E-2 visa, they should receive a two-year period of stay. If the passport expires before two years, CBP has the discretion to shorten the period of stay.



Future Plans

We recommend that you speak to your attorney if the temporary nature of the assignment changes.

Filing Fees

See our fee glossary for more details.

Premium processing: Employers can pay a \$2,805 premium processing fee as of February 26, 2024 and USCIS will adjudicate the E-2 petition on an expedited timeline, meaning that USCIS is required to approve, issue a Request of Evidence or deny the visa petition within 15 business days.

Dependents

Employees may be accompanied by their spouses or unmarried children under age 21 with the E-2 nonimmigrant dependent visa classification. The dependents' nationalities don't need to be the same as the employee or treaty investor, and they may study during their stay. Spouses in E-2 status are eligible to present a valid and notated Form I-94 in addition to a passport to evidence work authorization once they enter the U.S.

KEY EMPLOYER TAKEAWAYS

Only foreign nationals from certain countries qualify for the E-2 visa category.



The employee must either act in an executive or supervisory capacity or have special, essential skills or qualifications.

Only foreign nationals sharing the same nationality as the company or the person that owns the sponsoring U.S. entities are eligible.

The foreign entity must own or control the U.S. entity.

U.S. Employer Document Checklist

- The non-U.S. entity's founding documents
- The U.S. petitioner's founding documents
- Documents demonstrating a qualifying relationship between U.S. petitioner and the non-U.S. entity
- Documentation evidencing ownership and nationality
 - If the U.S. company is owned by several individuals, in lieu of a foreign company, submit the passports of all the owners
- Documentation evidencing substantial investment by the foreign company to the U.S. company, such as bank deposits
- Organizational chart for the non-U.S. position
- Organizational charts for the U.S. position
- Job description

Foreign Employee Document Checklist

- Passport
- Any previous Form I-797 Approval Notices
- Resume or curriculum vitae
- Diploma
- Digital photo for DS-160, the Electronic Consular Application
- Any prior visa stamps
- Form I-94, if inside the U.S. and applying to USCIS

The exact list of required documents varies between E-2 visa applications.

Who's Eligible?

This special visa classification is available to Australian citizens if:

- There's a legitimate offer of employment in the U.S.
- The individual possesses at least a U.S. bachelor's degree or its equivalent.
- The individual will work in a specialty occupation that requires a specific skill set or specialized knowledge. Specialty occupations typically include roles in **health care, biotechnology, human resources, education, engineering, computer sciences, management, medicine,** etc.
- The U.S. employer must make attestations about the wage and working conditions in a Labor Condition Application (LCA), which is submitted to the Department of Labor.





The E-3 visa itself is valid for up to two years. Once you enter the U.S. on that valid visa, you will get a two-year period of stay.



Future Plans

We recommend that you speak to your attorney if the temporary nature of the assignment changes.

Filing Fees

See our fee glossary for more details.

Dependents

- E-3 visa holders may be accompanied by their spouses or unmarried children 21 years and under with an E-3 nonimmigrant dependent visa classification.
- Spouses and minor children do not need to be Australian citizens.
- Dependents are allowed to study while in the U.S. Spouses in E dependent status are eligible to present a valid and notated Form I-94 in addition to a passport to evidence work authorization once they enter the U.S.

KEY EMPLOYER TAKEAWAYS



Only available to Australian citizens.

A Labor Condition Application must be filed with the Department of Labor.

For a change of employment, the new employer must file a new Labor Condition Application.

E-3 premium processing is available to Australian nationals working in the U.S. in a specialty occupation. Premium processing service guarantees 15-calendar-day processing.

The salary for the position must meet the minimum prevailing wage.

U.S. Employer Document Checklist

- Financial statements or annual reports
- Catalogs, brochures and other types of marketing literature
- Detailed job description

Foreign Employee Document Checklist

- Passport
- Diploma
- Education evaluation, if the degree is not from Australia or U.S.
- Previous visa stamps, if any
- Transcripts or mark sheets
- Resume or curriculum vitae

H VISAS

Temporary worker visas are available for people wishing to enter the U.S. and work or train for a fixed period of time. USCIS created multiple subcategories for the most common employment situations. This section will cover:

- **H-1B Specialty Occupation**
- **H-1B1: Free Trade Agreement Professional from Chile or Singapore**
- **H-3 Nonimmigrant Trainee or Special Education Exchange Visitor Visa**
- **H-2B: Temporary Non-Agricultural Workers**
- **H-2A: Temporary Agricultural Workers**

Who's Eligible?

The H-1B visa is designated for individuals working in a specialty occupation that requires a specific skill set and background of specialized knowledge.

Specialty occupations typically include **biotechnology, education, engineering, computer sciences, management, medicine**, etc.

Additional Requirements

- The beneficiary must have completed a U.S. bachelor's degree or its equivalent in a field of study related to the position. If the degree was obtained overseas or is not a four-year bachelor's degree, then an education or a combination education experience evaluation must be completed.
- Industry-standard education requirements for the position must include at least a bachelor's degree in a related/relevant field.
- The salary for the position must meet minimum prevailing wage requirements.
- If the position requires the employee to work off-site, additional proof of a valid employer-employee relationship may be needed.

Work experience can be used to substitute years of study

3 years

The investment must: of specialized training and/or work experience is equivalent to one year of college education.



H-1B holders who have completed select portions of the green card application process may be able to extend their status beyond the six-year max-out date.



Future Plans

We recommend that you speak to your attorney if the temporary nature of the assignment changes.

Dependents

Employees may be accompanied by their spouses and unmarried children 21 years and under with an H-4 nonimmigrant dependent classification. Select spouses are entitled to apply for work authorization once the H-1B holder has reached a certain point in the green card application process. Dependents are allowed to study while in H-4 status.

New or increased fees effective April 1, 2024:

- I-129 H-1B: will increase from \$460 to \$780
- H-1B registration: will increase from \$10 to \$215 (* no increase for March 2024 registration)

USCIS will give its adjudicators more time to provide [Premium Processing](#) service by changing its required response period from a count of calendar days to a count of business days. USCIS believes this change will allow the agency adequate time to adjudicate petitions and provide petitioners with a consistent and predictable service.

| TYPE OF FILING | PRE-APRIL 1ST FEE(S) | PROPOSED FEE | FINAL FEE(S) APRIL 1ST | FEE INCREASE | % INCREASE |
|---|----------------------|--------------|------------------------|--------------|------------|
| H-1B, H-1B1 | \$460 | \$780 | \$780 | \$320 | 70% |
| H-1B, H-1B1 (SMALL EMPLOYERS AND NONPROFITS) | \$460 | \$780 | \$460 | \$0 | 0% |

Who's Eligible?

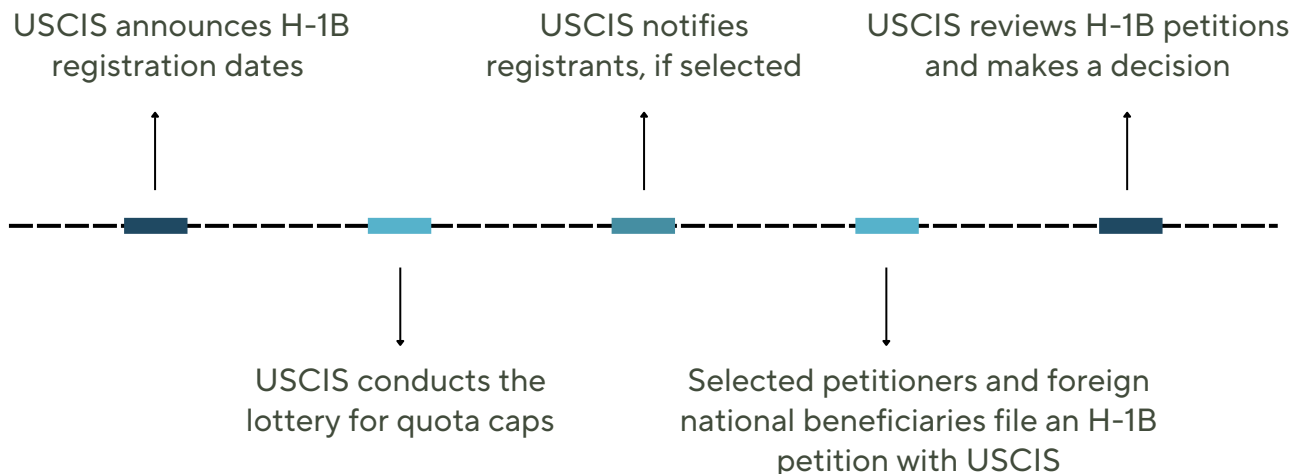
First-time H-1B visa beneficiaries are subject to the **H-1B lottery**. The number of visas processed each year is:

- **65,000** for bachelor's degrees and an additional
- **20,000** for applicants with master's degrees.

If the H-1B petition is accepted for processing and approved, the earliest possible official start date is October 1.

Note: H-1B petitioners employed at an institution of higher education or at certain nonprofit entities are not subject to the cap.

The H-1B Lottery Overview



KEY EMPLOYER TAKEAWAYS



The H-1B petition generally requires a U.S. bachelor's degree in a specific field or its equivalent in foreign education and/or experience.

The salary for the position must meet the minimum prevailing wage.

It is important to discuss with your employer when the permanent residency process should start to help ensure ongoing work authorization.

U.S. Employer Document Checklist

- Financial statements or annual report
- Catalogs, brochures or other types of marketing literature
- An employment contract or job offer letter
- Job description with requirements and job site location

Foreign Employee Document Checklist

- Passport
- Form I-94 if in the U.S.
- Diploma
- Transcripts or marksheets
- Resume or curriculum vitae
- All previous Form I-797 Approval Notices
- Payroll paycheck stubs for the last two pay periods
- Previous employment authorization document cards, if applicable
- All prior I-20s, DS-2019s if applicable
- All prior dates spent inside the U.S. in H-1B and L-1 Intracompany
- Transferee visa statuses
- Visa stamp(s)

*Exact documentation required for each case varies based on the distinct nuances of each application.

Who's Eligible?

Citizens of Chile and Singapore are eligible for the H-1B1 professional work visa. The job must involve specialty work that requires at least a U.S. bachelor's degree or its equivalent.

Qualifying candidates must be filling a “specialty occupation” role, meaning it requires a specific skill set and background of specialized knowledge.

Specialty occupations usually include **engineering, mathematics, physical sciences, computer sciences, medicine, health care, education, biotechnology, management, human resources**, etc.

Candidates must also hold at least a **U.S. bachelor's degree** or its equivalent in a major related to the U.S.-based position they are pursuing or possess equivalent work experience.

The salary for the position must meet minimum prevailing wage requirements.

Special Note

The application process isn't petition-based. If the employee resides outside of the U.S., the employee may apply directly at the U.S. Embassy in Singapore or Chile. No filing is necessary in the U.S.

For more information, contact the U.S. Embassy in Chile or Singapore or consult an attorney.



NOTE: The visa stamp can be issued for 18-months but I-94s are issued in one-year increments.



Future Plans

We recommend that you speak to your attorney if the temporary nature of the assignment changes.

Filing Fees

See our fee glossary for more details.

Premium processing: This expedited application processing feature is not available for H-1B1 visas.

Dependents

Employees may be accompanied by their spouses and unmarried children 21 years and under with an H-4 nonimmigrant dependent classification. Dependents are allowed to study while in H-4 status but are not eligible for work authorization.

KEY EMPLOYER TAKEAWAYS

H-1B1 holders who are changing employers and are inside the U.S. must wait for the H-1B1 transfer to be approved by the USCIS.



Alternatively, they can leave the country and apply at an embassy or consulate.

The salary for the position must meet the minimum prevailing wage.

U.S. Employer Document Checklist

- Financial statements or annual report
- Catalogs, brochures or other types of marketing literature
- Job description with requirements and job site location

Foreign Employee Document Checklist

- Passport
- Form I-94 if inside the U.S.
- Diploma
- Transcripts or mark sheets
- Resume or curriculum vitae
- All previous Form I-797 Approval Notices*
- Payroll paycheck stubs for the last two pay periods*
- Previous visa stamps, if any
- Digital photo for DS-160, the Electronic
- Consular Application, if applying directly at an embassy or consulate

*Exact documentation required for each case varies based on the distinct nuances of each application.

Who's Eligible?

The H-3 visa allows you to sponsor individuals coming to the U.S. for **training**. Additionally, it allows **special education exchange visitors** to enter the U.S. to train specifically in special education.

Additional Requirements

- For trainees, the training can be in any field that is only offered in the U.S., except graduate medical education or training.
- For special education exchange visitors, the training will allow the beneficiary to develop practical experience in educating children with physical, mental or emotional disabilities.



H-3: NONIMMIGRANT TRAINEE OR SPECIAL EDUCATION EXCHANGE VISITOR VISA

VARIES

Initial stay

Depending on training

Extensions

cannot go beyond the maximum amount of time initially requested for the visa

24

months

Total stay

NOTE: 18 months for special education trainees

Future Plans

We recommend that you speak to your attorney if the temporary nature of the assignment changes.

Filing Fees

See our fee glossary for more details.

Premium processing: increased on February 26, 2024 to \$2,805.

Dependents

Employees may be accompanied by their spouses and unmarried children 21 years and under with an H-4 nonimmigrant dependent classification.

Dependents are allowed to study while in H-4 status but are not eligible for work authorization.

KEY EMPLOYER TAKEAWAYS



Great for contributing to knowledge abroad since it helps the visa holder gain valuable training and on-the-job experience.

Helps diversify your training program.

U.S. Employer Document Checklist

- Training program description
- Catalogs, brochures and other types of marketing collateral
- List of permanent U.S. locations
- The application process for the program
- Financial statement or annual report
- A detailed explanation of why the training must take place in the U.S.

Foreign Employee Document Checklist

- Diploma
- Passport
- Resume or curriculum vitae
- Digital photo for DS-160
- Letter confirming how training will benefit their career outside of the U.S. and why training is not available in the home country

*Exact documentation required for each case varies based on the distinct nuances of each application.

One Time Occurance

The employer has an employment situation that is not otherwise permanent, but a temporary event of short duration has created a need for temporary workers. The employer has not employed workers for the service or labor in the past and will not need workers for the service or labor in the future.

Examples of a one-time occurrence may be for an employer who has a one-time need for a caretaker for an elderly family member or a construction company that is refurbishing a church and needs a stain-glass expert, on a one-time basis, to complete a project.

Seasonal Need

- Work is considered temporary if it is a seasonal need. In this case, the work is tied to a particular season by a pattern or event and is recurring in nature.
- Employers cannot claim a seasonal need if the time period when you do not need the service or labor is:
 - Unpredictable
 - Subject to change; or
 - Considered a vacation period for your permanent employees.
- A seasonal need may not necessarily be limited to the traditional four seasons (winter, spring, summer and fall). It could include legal “seasons” (such as a fishing season) and “events” (such as the Christmas shopping season).

Peak-Load Need

- Petitioners claiming a peak load need must show that they regularly employ permanent workers to perform the service or labor at their place of employment. They must demonstrate a need to temporarily supplement permanent staff at a worksite due to a higher-volume seasonal or temporary demand. They must also show that the temporary additions to their staff will not become part of the employer's regular operation.

Intermittent Need

- Petitioners can also show an intermittent need for employment. An intermittent need means that the employer has not hired permanent or full-time employees to perform the labor or services and needs temporary workers intermittently or temporarily to perform labor or services for short periods.
 - An example of an intermittent need might be a company that produces limited edition products to commemorate a special event, but only occasionally and not on a fixed schedule.

H-2B VISA: TEMPORARY NON-AGRICULTURAL EMPLOYMENT OF FOREIGN WORKERS



A person who has held H-2B status for three years must depart and remain outside the U.S. for an uninterrupted period of three months before seeking readmission as an H-2B nonimmigrant. Additionally, previous time spent in other H or L classifications counts toward total H-2B time.

Exception: Certain periods of time spent outside of the U.S. may "interrupt" an H-2B worker's authorized stay and not count toward the three-year limit.

10

months

Initial stay

Except in cases
of one-time
occurrence.

1

year

Renewals*

3

years

Total stay



*A new, valid temporary labor certification covering the requested time must accompany each extension request.

Who's Eligible?

First-time visa petitioners are subject to the H-2B lottery. USCIS processes **66,000** H-2B visas per fiscal year.

- **33,000** workers begin employment in the first half of the fiscal year (October 1 - March 31).
- **33,000** workers begin employment in the second half of the fiscal year (April 1 - September 30).

Note: Any unused numbers from the first half of the fiscal year will be available for employers seeking to hire H-2B workers during the second half of the fiscal year.

Generally, H-2B status workers who extend their stay, change employers or change the terms and conditions of employment will not be subject to the H-2B cap.

H-2B workers who have previously been counted against the cap in the same fiscal year that the proposed employment begins will not be subject to the cap if the employers name them on the petition and indicate that they have already been counted.

The spouse and children of H-2B workers classified as H-4 nonimmigrants also do not count against this cap.

H-2B Cap Exempt

- Fish roe processors, fish roe technicians or supervisors of fish roe processing.
- Workers performing labor or services in the Commonwealth of Northern Mariana Islands or Guam until Dec. 31, 2029.

Future Plans

We recommend that you speak to your attorney if the temporary nature of the assignment changes.

Filing Fees

See our fee glossary for more details.

Premium processing: increased from \$1,500 to \$1,685 on February 26, 2024. With premium processing, USCIS is required to approve, issue a Request for Evidence (RFE), or deny the H-2B petition within 15 calendar days.

Dependents

Dependents are permitted to accompany the H-2B visa holder to the U.S. Spouses and children under age 21 may be admitted to the U.S. with the primary H-2B visa holder with an H-4 classification. Although they be admitted to the U.S. with the primary H-2B visa holder, dependents are not permitted to work in the U.S. on H-4 status. H-4 visa holders are eligible to study in the U.S.



KEY EMPLOYER TAKEAWAYS



Only foreign nationals from certain countries qualify for the H-2B visa category.

The H-2B visa is temporary in nature, and the foreign nationals are expected to return to their country of residence at the conclusion of their employment period. They cannot remain in the U.S. for more than three years.

U.S. Employer Document Checklist

- Detailed job description with minimum requirements and job site(s)
- Evidence of temporary need (may include but not limited to):
 - Payroll records
 - Staffing/Workload data
 - Employer's agreements or contracts
 - Data on employer's annual historical need for workers
- Prevailing Wage Determination from the Department of Labor (DOL)
- Form ETA 9142B, Application for Temporary Employment Certification certified by the DOL

Foreign Employee Document Checklist

- Printed and completed Form DS-160
- Valid Passport
- One-passport style photo
- A copy of H-2B temporary labor certification from the DOL
- A Form I-129H, H-2B, Approval Notice from USCIS
- Proof of education or relevant work experience
- Form I-94 or copies of W-2s, if in the U.S.
- Family Members:
 - Marriage certificate, birth certificates, if dependents are accompanying
 - Valid Passport
 - One-passport style photo
- Proof of intent to return to home country



A person who has held H-2A status for a total of three years must depart and remain outside the U.S. for an uninterrupted period of three months before seeking readmission as an H-2A nonimmigrant. Additionally, previous time spent in other H or L classifications counts toward total H-2A time.

Exception: Certain periods of time spent outside of the U.S. may "interrupt" an H-2 worker's authorized stay and not count toward the three-year limit.



*A new, valid temporary labor certification covering the requested time must accompany each extension request.

Future Plans

We recommend that you speak to your attorney if the temporary nature of the assignment changes.

Filing Fees

See our fee glossary for more details.

Dependents

H-2A workers may bring their spouses and unmarried children under the age of 21. Those dependents may seek admission through the H-4 nonimmigrant classification. Although they may accompany the primary H-2A visa holder, dependents may not work with H-4 status. H-4 visa holders are eligible to study in the U.S.

Who's Eligible?

U.S. employers or U.S. agents may bring foreign nationals to the U.S. to fill temporary agricultural jobs.

Additional Requirements

To qualify, the employer must:

- Offer a job that is of a temporary or seasonal nature.
- Demonstrate that there are not enough U.S. workers who are able, willing, qualified and available to do the temporary work.
- Show that employing H-2A workers will not adversely affect the wages and working conditions of similarly employed U.S. workers

The foreign nationals must:

- Be a citizen of a country on the [Eligible Countries List](#).
- Have a Job Order describing the details of the job and job site(s).
- Have experience and education that qualifies them for the job.
- Return to their home country upon completion of the H-2B job position.

Eligible Countries List

The H-2A visa program allows U.S. employers to bring foreign nationals to the U.S. to fill temporary agricultural jobs, respectively. For a full list visit:

<https://www.uscis.gov/working-in-the-united-states/temporary-workers/h-2b-temporary-non-agricultural-workers>.

KEY EMPLOYER TAKEAWAYS



Unlike the H-2B visa, this H-2A is specific to the agricultural sector and cannot be used in various industries.

The H-2A visa is temporary in nature and foreign nationals are expected to return to their country of residence at the conclusion of their employment period and cannot remain in the U.S. for more than three years.

U.S. Employer Document Checklist

- Detailed job description with minimum requirements and job site(s)
- Evidence of temporary need (may include but not limited to):
 - Payroll records
 - Staffing/Workload data
 - Employer's agreements or contracts
 - Data on employer's annual historical need for workers
- Prevailing Wage Determination from the Department of Labor (DOL)
- Form ETA 9142B, Application for Temporary Employment Certification certified by the DOL

Foreign Employee Document Checklist

- Diploma
- Passport
- Resume or curriculum vitae
- Digital photo for DS-160
- Letter confirming how training will benefit their career outside of the U.S. and why training is not available in the home country

*Exact documentation required for each case varies based on the distinct nuances of each application.

L VISAS

L visas are available for employers wishing to transfer employees from a foreign and related company to the U.S. company. The foreign national must have been employed with the organization outside of the U.S. for at least one continuous year in the preceding three years and the foreign company must share common ownership with the U.S. company. This section will cover:

- **L-1A: Intracompany Transfer for Executives or Managers**
- **L-1B: Intracompany Transfer for Employees With Specialized Knowledge**

Who's Eligible?

Foreign nationals who've worked abroad at a qualifying foreign entity of the sponsoring U.S. company in an executive or managerial capacity can apply for this visa category.

Executive capacity refers to the employee's ability to make major decisions without much oversight.

Managerial capacity refers to the ability of the employee to supervise and direct the work of employees or to manage the organization, a department, subdivision, function or component of the organization.

- Candidates must have worked at a related entity abroad for at least 12 continuous months out of the last three years at the time of application.
- The work must be in an executive or managerial capacity.
- There must be a qualifying relationship (common ownership) between the foreign employer and the U.S. petitioning company such as the parent-subsidary, branch or affiliate.

New Offices

If the executive's or manager's reason for travel is to open a new office in the U.S., the following conditions must be met:

- The employer has secured the physical office location.
- The executive or manager has been employed in that position for one continuous year in the three years preceding the filing of the petition.
- The intended U.S. office will support an executive or managerial position within **one year** of the approved petition.



Future Plans

We recommend that you speak to your attorney if the temporary nature of the assignment changes.

Filing Fees

See our fee glossary for more details.

Premium processing: Employers can pay the \$2,805 premium processing fee when available and USCIS will adjudicate the L-1A petition within 15 business days, meaning they are required to approve, issue a Request for Evidence (RFE), or deny the visa petition.

Dependents

Employees may be accompanied by their spouses and unmarried children 21 years and under with an L-2 nonimmigrant dependent classification.

NOTE: Dependents are allowed to study. Spouses in L-2 status are eligible to present a valid and notated Form I-94 in addition to a passport as evidence of work authorization once they enter the U.S.

KEY EMPLOYER TAKEAWAYS



The work or service must be in an executive or managerial capacity for a parent, subsidiary, affiliate or branch of the same employer.

Candidates must have worked abroad for at least 12 continuous months out of the last three years at the time of application.

Spouses in L-2 status will be granted work authorization incident to status.

U.S. Employer Document Checklist

- The U.S. petitioner's founding documents
- Documents demonstrating a qualifying relationship (joint ownership) between U.S. petitioner and the non-U.S. entity
- The non-U.S. entity's founding documents
- Employment contract
- Financial statements or annual report
- Catalogs, brochures or other types of informational literature
- Organizational chart for the non-U.S. position
- Organizational charts for the U.S. position

Foreign Employee Document Checklist

- Pay records from the non-U.S. entity demonstrating a full year of employment there
- Work product evidence demonstrating beneficiary acts in a managerial or executive capacity
- Form I-94 Arrival/Departure Record*
- Resume or curriculum vitae
- Passport
- All previous form I-797 Approval Notices *
- Visa stamp

*Exact documentation required for each case varies based on the distinct nuances of each application.

Who's Eligible?

The L-1B classification allows a U.S. employer to transfer an employee with specialized knowledge relating to the organization from a foreign entity or office with which the U.S. employer shares common ownership.

- Have worked at a related entity abroad for at least 12 continuous months out of the last three years at the time of application.
- Have specialized knowledge based on employment with the foreign employer that will be used in the U.S.

Special Note

Specialized knowledge is special or advanced knowledge of the company's product, technology, services, equipment, processes, methodologies, etc. Often, the knowledge is company-specific (i.e., not commercially available), and the employee may be one of the few with the same level or type of knowledge. Other factors that demonstrate specialized knowledge include the type of training needed to gain the knowledge and how easily the knowledge can be transferred or taught to another person.

If the employee's reason for working in the U.S. is to open a new office, the following additional conditions must be met:

- The employer has secured a sufficient physical location to house the new office.
- The employer has the financial ability to compensate the employee and to conduct business in the U.S.

•The employer must submit evidence that, within one year of the petition's approval, the U.S. operation will support an executive or managerial position.

Additionally, foreign nationals in L-1 status who spend less than 180 days per year inside the U.S. are considered intermittent L-1 visa holders and are eligible to extend their L-1 status indefinitely in two-year increments.



Future Plans

We recommend that you speak to your attorney if the temporary nature of the assignment changes.

Filing Fees

See our fee glossary for more details.

Premium processing: Employers can pay the \$2,805 premium processing fee as of February 26, 2024 when available and USCIS will adjudicate the L-1B visa petition, meaning they are required to approve, issue a Request for Evidence (RFE) or deny the visa petition within 15 business days.

Dependents

Employees may be accompanied by their spouses and unmarried children 21 years and under with an L-2 nonimmigrant dependent classification.

NOTE: Dependents are allowed to study. Spouses in L-2 status are eligible to present a valid and notated Form I-94 in addition to a passport to evidence work authorization once they enter the U.S.

KEY EMPLOYER TAKEAWAYS

The employee must have worked in the qualifying organization for at least 12 months within the last three years leading up to the transfer.

Foreign nationals in L-1 status that spend less than 180 days per year inside the U.S. are considered intermittent L-1 visa holders and are eligible to extend their L-1 status indefinitely in two-year increments.



The employee must have specialized knowledge, which is knowledge that is unique or advanced of company product, technology, services, equipment, processes, methodologies, etc.

Evidence of specialized knowledge includes training materials, authored presentations, materials demonstrating leadership and decision-making in technical tasks.

U.S. Employer Document Checklist

- The U.S. petitioner's founding documents
- Documents demonstrating a qualifying relationship (common ownership) between the U.S. petitioner and the non-U.S. entity
- The non-U.S. entity's founding documents
- Employment contract
- Financial statements or annual report
- Catalogs, brochures or other types of informational literature
- Organizational charts for foreign and U.S. positions

Foreign Employee Document Checklist

- Form I-94*
- Work product evidence of specialized knowledge
- Diploma
- Resume or curriculum vitae
- Passport
- Visa stamp*
- All previous Form I-797 Approval Notices, if any
- 12 months of paystubs from the foreign entity to prove one year of employment

*If inside the U.S. and applying for an extension

Some companies are eligible to establish approval of their global entities sharing common ownership, known as an L Blanket. The benefit of the L Blanket is that the employee can apply for the L visa directly at the U.S. Consulate. Nothing needs to be filed in the U.S., which saves time and money.

L Blanket certification may be established if:

- All parties involved are engaged in **commercial trade or services**.
- The petitioner has a U.S. office that's been **operational for at least one year**.
- There are **three or more** domestic and foreign branches, subsidiaries and affiliates.
- One of the following:
 - Obtained at least 10 L-1 approvals during the previous 12-month period.
 - Have U.S. subsidiaries or affiliates with combined annual sales of at least \$25 million.
 - Have a U.S. workforce of at least 1,000 employees.

O VISA

O visas are for individuals with extraordinary abilities related to their employment, and, as a result, they only apply to very specific workers. This section will cover:

- **O-1: Individuals with Extraordinary Ability or Achievement**



Who's Eligible?

The special visa classification is for people who possess extraordinary ability in the **sciences, arts, education, business and athletics**.

Extraordinary ability means the person has risen to the very top of the field of endeavor and is known internationally or nationally for their achievements.

CONSULTATION REQUIREMENT

To obtain an O-1 visa, a written advisory opinion might be required in from a peer group (including labor organizations) or a person designated by the group with expertise in the beneficiary's area of specialization. Not all O-1 visas require this.



Future Plans

We recommend that you speak to your attorney if the temporary nature of the assignment changes.

Filing Fees

See our fee glossary for more details.

Premium processing: Employers can pay the \$2,805 premium processing fee as of February 26, 2024, when available and USCIS will adjudicate the O-1 petition, meaning they are required to approve, issue a Request for Evidence (RFE), or deny the visa petition within 15 business days.

Dependents

Spouses and unmarried children 21 years of age and under may accompany the O-1 holder with an O-3 nonimmigrant dependent visa classification. They are not authorized to work and cannot apply for work authorization as an O-3 dependent. However, they are allowed to study.

KEY EMPLOYER TAKEAWAYS



The O-2 visa allows O-1 holders to have managers, assistants and other aides travel with them.

Premium processing is available for this visa category.

Dependents may accompany the O-1 holder. They aren't authorized to work but can study.

U.S. Employer Document Checklist

- Financial statements or annual report
- Catalogs, brochures, or other types of informational literature
- Employment contract

Foreign Employee Document Checklist

- Form I-94*
- Arrival/Departure Record
- Passport
- Previous visa stamps, if any
- All previous Form I-797 Approval Notices, if any
- Documentation evidencing the beneficiary's extraordinary ability
(note: this is tailored for each applicant; please consult an attorney for a personalized checklist)
- Recommendation letters
- Payroll paycheck stubs for the last two pay periods*
- Resume or curriculum vitae

*If inside the U.S. and applying for an extension

P VISA

P visas are a category used for internationally known athletes and entertainers.

- **P-1A: Internationally Recognized Athlete**
- **P-3: Artist or Entertainer Coming to Be Part of a Culturally Unique Program**



Who's Eligible?

The P-1A visa category is designed for athletes to **perform at a specific event or competition** as part of a group or individually.

- The beneficiary coming to the U.S. must have **achieved significant and international recognition** in the sport.
- The event must be **distinguished** and require the participation of athletic teams of **international recognition**.

Future Plans

We recommend that you speak to your attorney if the temporary nature of the assignment changes.

Filing Fees

See our fee glossary for more details.

Premium processing: Employers can pay the \$2,805 premium processing fee as of February 26, 2024, when available and USCIS will adjudicate the P-1A petitions, meaning they are required to approve, issue a Request for Evidence (RFE), or deny the visa petition within 15 calendar days.

Dependents

Employees may be accompanied by their spouses and unmarried children 21 years and under with a P-4 nonimmigrant dependent visa classification. Dependents aren't authorized to work in the U.S., but they may study.

Individual Athlete

5
years
Initial stay

**LIMITED
EXTENSIONS
GRANTED**

10
years
Total stay

Athletic Group

1
year
Initial stay

**LIMITED
EXTENSIONS
AT USCIS
DISCRETION**

VARIABLES
Total stay

KEY EMPLOYER TAKEAWAYS



Essential support personnel of the athlete may also travel under this visa to perform support services that cannot be readily performed by a U.S. worker, including coaches, scouts, trainers, broadcasters, referees, linesmen, umpires and interpreters.

The length of stay is determined by the main visa holder, up to 10 years.

Spouses and unmarried children 21 years of age and under may apply for P-4 dependent visas. Dependents aren't authorized to work in the U.S., but they may study.

U.S. Employer Document Checklist

- Financial statements or annual report
- Catalogs, brochures or other types of informational literature
- Detailed job description

Foreign Employee Document Checklist

- Documentation evidencing the beneficiary's contract with a major U.S. sports league or team
- Passport
- All previous Form I-797 Approval Notices, if any
- Form I-94* Arrival/Departure Record
- Any other evidence about the athlete's international recognition

*If inside the U.S. and applying for an extension

Who's Eligible?

For a P-3 visa, the applicant must be coming to the U.S. either individually or as a group for the purpose of **developing, coaching or teaching a unique cultural program, such as a traditional ethnic, folk, cultural, musical, theatrical or artistic performance or presentation.**



Future Plans

We recommend that you speak to your attorney if the temporary nature of the assignment changes.

Filing Fees

See our fee glossary for more details.

Premium processing: Employers can pay the \$2,805 premium processing fee as of Feb. 26, 2024, when available and USCIS will adjudicate the P-3 petition, meaning they are required to approve, issue a Request for Evidence (RFE), or deny the visa petition within 15 business days.

Dependents

Employees may be accompanied by their spouses and unmarried children 21 years and under with a P-4 nonimmigrant dependent visa classification. Dependents cannot work, but they are able to study.

KEY EMPLOYER TAKEAWAYS



Must be an art form that is unique to the artist's culture in their home country.

An itinerary must be submitted if the events or performances will take place in multiple areas.

Dependents may accompany the P-3 visa holder under the P-4 classification.

U.S. Employer Document Checklist

- Financial statements or annual reports
- Catalogs, brochures or other types of informational literature
- Evidence that it's a culturally unique program
- Copy of signed contract between petitioner and beneficiary
- Written consultation from an appropriate labor organization, if applicable
- Explanation of event and itinerary

Foreign Employee Document Checklist

- Financial statements or annual reports Catalogs, brochures or other types of informational literature
- Evidence that it's a culturally unique program
- Copy of signed contract between petitioner and beneficiary
- Written consultation from an appropriate labor organization, if applicable
- Explanation of event and itinerary

*If inside the U.S. and applying for an extension

TN VISA

The TN visa is a special classification for citizens of **Canada and Mexico** as part of the U.S.–Mexico–Canada Agreement (USMCA), formerly known as the North American Free Trade Agreement (NAFTA).

Who's Eligible?

Citizens from Mexico and Canada in professions including:

Accountant, engineer, scientist, medical/healthcare professional, architect, lawyer, teacher, economist, social worker, mathematician, psychologist, computer systems analyst, industrial designer and more.

A full list of USMCA-designated professions can be found here: resources.envoyglobal.com/temporary-work-visas/what-is-the-tn-visa.



Future Plans

We recommend that you speak to your attorney if the temporary nature of the assignment changes.

Filing Fees

See our fee glossary for more details.

Premium processing: Employers can pay the \$2,805 premium processing fee as of Feb. 26, 2024, when available and USCIS will adjudicate the TN petition, meaning they are required to approve, issue a Request for Evidence (RFE), or deny the visa petition within 15 business days.

Dependents

Employees may be accompanied by their spouses and unmarried children 21 years and under with a P-4 nonimmigrant dependent visa classification. Dependents cannot work, but they are able to study.

KEY EMPLOYER TAKEAWAYS



Only citizens of Mexico and Canada qualify.

Limited types of professions qualify for the TN visa.

Contact an attorney if the position becomes long-term or permanent to discuss your options.

U.S. Employer Document Checklist

- Financial statements or annual report
- Catalogs, brochures or other types of informational literature
- Employment contract
- Detailed job description

Foreign Employee Document Checklist

- Visa stamp, if any
- Diploma
- Form I-94* Arrival/Departure Record
- Transcripts/marksheets
- Resume or curriculum vitae
- Education evaluation, if it's not a Mexican, Canadian or U.S. degree
- Passport
- All Previous Form I-797 Approval Notices, if any

*If inside the U.S. and applying for an extension

Employment-Based Green Cards

Employment-based (EB) green cards are a valuable tool to attract and retain foreign talent, allowing U.S.-based companies to maximize their competitive edge and promote national economic growth. This section covers the most common employment-based green card categories, including:

- **EB-1: Priority Workers**
- **EB-2: Advanced Workers**
- **EB-3: Skilled or Other Workers**



A green card is officially known as a Lawful Permanent Resident Card. By having a green card, individuals are allowed to live and work permanently in the U.S.

Individuals who have green cards are also referred to as **Lawful Permanent Residents (LPR)**.

What are the Benefits?

In addition to being able to live and work in the U.S. permanently, lawful permanent residents enjoy many other benefits. These include:

- Eventual ability to pursue U.S. citizenship after meeting the legal requirement
- Can collect Social Security after a period of time
- Can sponsor certain relatives for their own green card
- Additional legal rights

Types of Employment-based Green Cards

There are three types of employment-based (EB) green cards.

- **EB-1: Priority Workers**
- **EB-2: Advanced Workers**
- **EB-3: Skilled or Other Workers**

Who's Eligible?

1. Workers of extraordinary ability (EB-1A):
 - These are individuals with extraordinary expertise in the **sciences, arts, education, business or athletics**. The beneficiary must be nationally or internationally known for their achievements.
2. Outstanding university professors or researchers (EB-1B):
 - **Higher learning educators** held in high esteem in the international academic community for their achievements.
 - **Accomplished researchers** in private companies that employ at least three full-time researchers.
3. Executives or managers of multinational companies (EB-1C):
 - Foreign nationals must have been employed in a **managerial or executive capacity** for at **least one year** out of the **three years** preceding entry to the U.S. with a foreign company sharing common ownership with the U.S. petitioner.
 - The U.S. petitioner must intend to employ the beneficiary in a **managerial or executive capacity** permanently in the U.S.

DID YOU KNOW?

The EB-1 green card is one of the more desirable options. It does not require companies to complete the PERM labor certification process, which can often be a complex and time-intensive process.



Future Plans

We recommend that you speak to your attorney if the temporary nature of the assignment changes.

Filing Fees

See our fee glossary for more details.

Premium processing: Expedited application processing time differs by EB-1 green card category. While most categories receive 15-calendar day processing with Premium, the EB-1C manager/executive and EB-2 National Interest Waiver categories receive 45- business day processing. USCIS will either approve, issue a request for RFE), or deny the petition within specified calendar days.

Dependents

Individuals may concurrently file green card applications for their spouse and unmarried child/children (under 21 years of age) along with their green card application. While the green card applications are pending, any dependent may apply for work and travel authorization.

KEY EMPLOYER TAKEAWAYS



EB-1A green cards require a very specific candidate whose achievements are nationally and internationally renowned, so qualifying candidates are rare.

Most green card holders are eligible for citizenship after five years.

Since supporting documentation for green cards can vary widely, consult an attorney for a personalized checklist.

U.S. Employer Document Checklist

- Job description
- Financial statements or annual report
- Catalogs, brochures or other types of informational literature
- Other documents vary by EB-1 category

Foreign Employee Document Checklist

- Form I-94
- Passport
- Visa stamp
- All previous Form I-797 Approval Notices
- Payroll paycheck stubs for the last two pay periods
- Resume or curriculum vitae
- Diplomas and/or professional certifications
- Form I-693, Medical Exam
- Birth certificate
- Marriage or divorce certificate*
- Military record*
- Criminal record*
- Other documents vary by EB-1 category

*If applicable



Who's Eligible?

1. Positions that require advanced degrees
 - Example: **master's degrees** OR **bachelor's degrees** and **five years** of post-bachelor work experience.
2. Foreign nationals with exceptional abilities in the fields of:
 - **sciences, arts or business.**
3. Professionals whose work benefits the national interest of the U.S.

SPECIAL NOTE

The PERM process is designed to test the labor market to ensure there are no ready, willing and able U.S. workers who could qualify for the job offer.

Dependents

Individuals may concurrently file green card applications for their spouse and unmarried child/children (under 21 years of age) along with their green card application. While the green card applications are pending, any dependent may apply for work and travel authorization.



Future Plans

We recommend that you speak to your attorney if the temporary nature of the assignment changes.

Filing Fees

See our fee glossary for more details.

Premium processing: This service is available for one stage of the EB-2 green card application process, which is filing Form I-140. However, it's not available for other portions of the application, including the PERM labor certification process.

Employers can pay the \$2,805 premium processing fee as of Feb. 26, 2024 and UCIS will adjudicate the EB-2 petition. This means USCIS will approve, issue an RFE, or deny the petition within 15 business days.

KEY EMPLOYER TAKEAWAYS



Most EB-2 green cards require the employer to undergo a mandatory recruitment process to ensure there are no ready, willing, and able U.S. workers who are qualified for the position.

When describing the job, as part of the labor certification process, employers must clearly articulate the minimum requirements for the position as necessitating a master's degree or bachelor's degree plus five years of progressive experience.

U.S. Employer Document Checklist

- Financial statements or annual report

Foreign Employee Document Checklist

- Form I-94
- Passport
- Visa stamp
- All previous Form I-797 Approval Notices
- Payroll paycheck stubs for the last two pay periods
- Resume or curriculum vitae
- Diplomas and/or professional certifications
- Transcripts or marksheets
- Education evaluation, if the degree or diploma is not from the U.S.
- Written confirmation of work experience and skills obtained with past employer(s)
- Form I-693, Medical Exam
- W-2
- Birth certificate
- Marriage or divorce certificate*
- Military record*
- Criminal record*

*If applicable

Since supporting documentation for green cards can vary widely, consult an attorney for a personalized checklist.

Who's Eligible?

1. Professionals with a bachelor's degree or foreign equivalent who are filling a role that requires a college degree.
 - Examples include: **teachers, architects and engineers.**
2. Skilled workers include foreign nationals with at least two years of training or work experience which may or may not hold a college degree.
3. Other or unskilled workers are those filling a job that requires less than two years of training or experience.
 - Examples include: **nannies, housekeepers, groundskeepers and nurse's aides.**

SPECIAL NOTE

The EB-3 casts the widest net in terms of who qualifies. As a result, it has the largest processing backlog. Additionally, the PERM labor certification process is required to complete the application.

Dependents

Individuals may concurrently file green card applications for their spouse and unmarried child/children (under 21 years of age) along with their green card application. While the green card applications are pending, any dependent may apply for work and travel authorization.



Future Plans

We recommend that you speak to your attorney if the temporary nature of the assignment changes.

Filing Fees

See our fee glossary for more details.

Premium processing: This service is available for one stage of the EB-2 green card application process, which is filing Form I-140. However, it's not available for other portions of the application, including the PERM labor certification process.

Employers can pay the \$2,805 premium processing fees of Feb. 26, 2024 and USCIS will adjudicate the EB-2 petition. This means USCIS will approve, issue an RFE, or deny the petition within 15 business days.

KEY EMPLOYER TAKEAWAYS



An EB-3 green card requires the employer to undergo mandatory recruitment to ensure there are no ready, willing and able U.S. workers who are qualified for the position.

The green card holder may be eligible to apply for citizenship after five years.

U.S. Employer Document Checklist

- Financial statements or annual report

Foreign Employee Document Checklist

- Form I-94
- Passport
- Visa stamp
- All previous Form I-797 Approval Notices
- Payroll paycheck stubs for the last two pay periods
- Resume or curriculum vitae
- Diplomas and/or professional certifications
- Transcripts or marksheets
- Education evaluation, if the degree or diploma is not from the U.S.
- Written confirmation of work experience and skills obtained with past employer(s)
- Form I-693, Medical Exam
- W-2
- Birth certificate
- Marriage or divorce certificate*
- Military record*
- Criminal record*

*If applicable

Since supporting documentation for green cards can vary widely, consult an attorney for a personalized checklist.

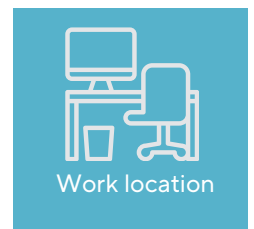
A Labor Condition Application (LCA), the ETA Form 9035, is submitted to the Department of Labor (DOL) and establishes that an employer is paying at least the prevailing wage or the actual wage to its foreign national employee in a given geographical area. The LCA also ensures fair working conditions and an approved LCA is required for the H-1B.

This means that once the electronic registration is selected, employers or their designated representative will have to file an LCA and receive a certification from the DOL before moving forward with the petition process. Standard processing time is seven to 10 days, but processing may take longer during cap season.

Additionally, entities that have never filed an LCA must first be registered with the DOL. This step can add even more time to the process. Keep in mind that this can be done pre-electronic registration.

The LCA is a major compliance piece for employers. It's one piece of the H-1B and also one piece of the Public Access File. As such, it is essential to comply with the conditions certified in the LCA throughout the duration of the H-1B visa petition process, or there may be penalties.

These conditions include:



Every LCA filed is available for the public to search via the U.S. Department of Labor's FLAG system.

Filing Fee Glossary

***Note:** On April 1, 2024, USCIS implemented a new asylum program fee of \$600 that applies to all Form I-129 and I-140 filings. However, small employer petitioners with 25 or fewer full-time equivalent employees are permitted to pay a reduced fee of \$300 per filing. Small employers include employers with 25 or fewer full-time equivalent employees in the U.S.

| TYPE OF FILING | PRE-APRIL 1ST FEE(S) | PROPOSED FEE | FINAL FEE(S) APRIL 1ST | CURRENT VS. FINAL FEES | % INCREASE |
|--|----------------------|--------------|------------------------|------------------------|------------|
| H-1B, H-1B1 | \$460 | \$780 | \$780 | \$320 | 70% |
| H-1B, H-1B1 (SMALL EMPLOYERS AND NONPROFITS)* | \$460 | \$780 | \$460 | \$0 | 0% |
| L-1A, L-1B PETITION | \$460 | \$1,385 | \$1,385 | \$925 | 201% |
| L-1A, L-1B (SMALL EMPLOYERS AND NONPROFITS)* | \$460 | \$1,385 | \$695 | \$235 | 51% |
| O-1 PETITION | \$460 | \$1,055 | \$1,055 | \$595 | 129% |
| O-1 (SMALL EMPLOYERS AND NONPROFITS)* | \$460 | \$1,055 | \$530 | \$70 | 15% |
| EB-1, EB-2, EB-3 EMPLOYER SPONSORSHIP (I-140) | \$700 | \$715 | \$715 | \$15 | 2% |
| EB-1, EB-2, EB-3 (ADJUSTMENT OF STATUS) (I-485) | \$1,140 | \$1,540 | \$1,440 | \$300 | 26% |
| EB-1, EB-2, EB-3 (ADJUSTMENT OF STATUS) (I-485) (WITH BIOMETRICS SERVICE) | \$1,225 | \$1,540 | \$1,440 | \$215 | 18% |
| EB-1, EB-2, EB-3 (ADJUSTMENT OF STATUS) (I-485) (UNDER THE AGE OF 14 IN CERTAIN CONDITIONS) | \$750 | \$1,540 | \$950 | \$200 | 27% |

| TYPE OF FILING | PRE-APRIL 1ST FEE(S) | PROPOSED FEE | FINAL FEE(S) APRIL 1ST | CURRENT VS. FINAL FEES | % INCREASE |
|---|----------------------|--------------|------------------------|------------------------|------------|
| I-131 APPLICATION FOR TRAVEL DOCUMENT | \$575 | \$630 | \$630 | \$55 | 10% |
| I-131 APPLICATION FOR TRAVEL DOCUMENT (WITH BIOMETRIC SERVICES) | \$660 | \$630 | \$630 | -\$30 | -5% |
| I-765 APPLICATION FOR EMPLOYMENT AUTHORIZATION (ONLINE FILING) | \$410 | \$555 | \$470 | \$60 | 15% |
| I-765 APPLICATION FOR EMPLOYMENT AUTHORIZATION (ONLINE FILING)(WITH BIOMETRIC SERVICES) | \$495 | \$555 | \$470 | -\$25 | -5% |
| I-539 APPLICATION TO EXTEND/CHANGE NONIMMIGRANT STATUS (ONLINE FILING) | \$370 | \$525 | \$420 | \$50 | 14% |
| I-539 APPLICATION TO EXTEND/CHANGE NONIMMIGRANT STATUS (ONLINE FILING (WITH BIOMETRIC SERVICES) | \$455 | \$525 | \$420 | -\$35 | -8% |
| E-2, E-3, TN, H-3, P-1A, P-3 PETITION FOR NONIMMIGRANT WORKER | \$460 | \$1,015 | \$1,015 | \$555 | 121% |
| E-2, E-3, TN, H-3, P-1A, P-3 (WITH BIOMETRIC SERVICES) | \$545 | \$1,015 | \$1,015 | \$470 | 85% |
| E-2, E-3, TN, H-3, P-1A, P-3 (SMALL EMPLOYERS AND NONPROFITS) | \$460 | \$1,015 | \$510 | \$50 | 11% |
| E-2, E-3, TN, H-3, P-1A, P-3 (SMALL EMPLOYERS AND NONPROFITS) (WITH BIOMETRIC SERVICES) | \$545 | \$1,015 | \$510 | -\$35 | -6% |

| TYPE OF FILING | PRE-APRIL 1ST FEE(S) | PROPOSED FEE | FINAL FEE(S) APRIL 1ST | CURRENT VS. FINAL FEES | % INCREASE |
|--|----------------------|--------------|------------------------|------------------------|------------|
| H-2A NAMED BENEFICIARIES | \$460 | \$1,090 | \$1,090 | \$630 | 137% |
| H-2A NAMED BENEFICIARIES (SMALL EMPLOYERS AND NONPROFITS) | \$460 | \$1,090 | \$545 | \$85 | 18% |
| H-2A UNNAMED BENEFICIARIES | \$460 | \$530 | \$530 | \$70 | 15% |
| H-2A UNNAMED BENEFICIARIES (SMALL EMPLOYERS AND NONPROFITS) | \$460 | \$530 | \$460 | \$0 | \$0 |
| H-2B NAMED BENEFICIARIES | \$460 | \$1,080 | \$1,080 | \$620 | 135% |
| H-2B NAMED BENEFICIARIES (SMALL EMPLOYERS AND NONPROFITS) | \$460 | \$1,080 | \$540 | \$80 | 17% |
| H-2B UNNAMED BENEFICIARIES | \$460 | \$580 | \$580 | \$120 | 26% |
| H-2B UNNAMED BENEFICIARIES (SMALL EMPLOYERS AND NONPROFITS) | \$460 | \$580 | \$460 | 0% | 0% |

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ABCS OF IMMIGRATION

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