

United States – H-1B Non-immigrant Visa Application Procedures and Fees

Unless otherwise indicated, the work visa application stated in this quotation refers to non-immigrant petition for Temporary Workers in Specialty Occupations under the United States Immigration and Nationality Act.

In general, unless a person has the right of abode or right to land in the United States, he/she requires a visa permit for work in the United States. The foreigners who wish to take up any short-term or long-term employment (whether paid or unpaid) in the United States, he/she must obtain an employment visa/permit from the United States Citizenship and Immigration Services (“USCIS”) before take-up the employment.

The H-1B non-immigrant visa category is created for graduate level professionals who wish to work in specialty occupations that require theoretical or technical expertise in specialized fields such as computer science, medicine, dentistry, engineering, accounting, architecture, and more.

H-1B visas are subjected to an annual visa cap each financial year. The current cap for H-1B visa is 65,000 visas, with an additional 20,000 visas for applicants who completed their master’s degree from an U.S. academic institution each fiscal year. USCIS holds a lottery for the H-1B visas available.

An initial period of stay of no more than 3 years is granted to persons coming to the U.S. in the H-1B category, with an extension of a maximum of 6 years. Although H-1B is a non-immigrant visa, it is one of the few U.S. visa categories recognized as dual intent. An H-1B visa holder can apply for Green Card while being in the U.S. on an H-1B visa.

Family members of the H-1B non-immigrant are entitled to admission in the H-4 non-immigrant category. Included in this category is the spouse of the visa holder, as well as minor unmarried children under the age of 21. Family members are admitted for the same period of time for which the principal family member is admitted. H family members are not authorized for employment.

All applicants who meet the eligibility criteria specified in the Section 3 of this quotation may apply for the H-1B work visa in the United States.

SHENZHEN 深圳

Rooms 1203-06, 12/F.
Di Wang Commercial Centre
5002 Shennan Road East
Luohu District, Shenzhen, China
中國深圳市羅湖區深南東路5002號
地王商業中心12樓1203-06室
T: +86 755 8268 4480

SHANGHAI 上海

Room 603, 6/F., Tower B
Guangqi Culture Plaza
2899A Xietu Road, Xuhui District
Shanghai, China
中國上海市徐匯區斜土路2899甲號
光啓文化廣場B座6樓603室
T: +86 21 6439 4114

BEIJING 北京

Room 303, 3/F.
Interchina Commercial Building
33 Dengshikou Street
Dongcheng District, Beijing, China
中國北京市東城區燈市口大街33號
國中商業大廈3樓303室
T: +86 10 6210 1890

SINGAPORE 新加坡

138 Cecil Street, #13-02 Cecil Court
Singapore 069538
新加坡絲絲街138號
絲絲閣13樓1302室
T: +65 6438 0116

TAIPEI 台北

Room 303, 3/F., 142 Section 4
Chung Hsiao East Road
Daan District, Taipei
Taiwan 10688
台灣台北市大安區忠孝東路四段
142號3樓之3
郵政編碼: 10688
T: +886 2 2711 1324

NEW YORK 紐約

202 Canal Street, Suite 303, 3/F.
New York, NY 10013, USA
美國紐約州紐約市
堅尼路202號3樓303室
郵政編碼: 10013
T: +1 646 850 5888

LONDON 倫敦

Room 319, 3/F., One Elmfield Park
Bromley, Greater London
BR1 1LU, UK
英國倫敦布羅姆利
雅茅菲爾德公園一號3樓319室
郵政編碼: BR1 1LU
T: +44 20 8176 3860

1. United States H-1B Work Visa Application Fees

Our fees for assisting client to register for the electronic registration process for the H-1B cap is \$700. If the registration is selected, our fee for handling the H-1B visa petition is USD5,000. An extra USD1,000 will be charged for each dependent visa. In particular, our fees cover the following services:

- (1) Providing advice regarding the application for H-1B visa in the United States in general;
- (2) Prepare and submit H-1B electronic registration to USCIS;
- (3) If selected, prepare and file Labour Conditions Application (LCA) to the Department of Labor;
- (4) Providing assistance for the preparation of documents required for the client;
- (5) Review petition documents prepared by applicant(s);
- (6) Preparation of petition letter(s) and application form(s);
- (7) Submission of petition package to the USCIS;
- (8) Liaison with the USCIS regarding the petition;
- (9) Report the application status to the client;
- (10) Visa Application Processing at the U.S. Embassy after approval (if applicable);
- (11) Preparing Client for Interview at U.S. Embassy.

Note:

- (1) The fees quoted above exclude the government fee.
- (2) The fees stated are exclusive of delivery charge, if any.
- (3) The fees stated exclude document translation fee. Please contact us for quotation if you wish to employ us to translate the documents.
- (4) Premium processing service is available for an extra fee of \$2,500¹. (USCIS will process the petition in 15 calendar days)

2. Payment Term and Method

Upon receipt of confirmation of engagement, we will issue an invoice and email it together with detailed wire instructions to you. Because of the nature of services, we require full payment in advance. In addition, once service is commenced, no service fees will be refunded. We currently only accept check, cash or TT and credit card payment through PayPal. If invoice is settled by PayPal, an extra 5% service fee will be charged.

If Taiwan uniform invoice is required, a Business Tax at 5% of the invoiced amount will be charged and collected.

3. Eligibility Criteria

In order to apply for H-1B work visa, the following eligibility requirements must be fulfilled:

- (1) An U.S. company willing to sponsor the applicant into the U.S.;
- (2) The offered position must be an occupation which requires theoretical and practical application of a body of highly specialized knowledge and attainment of a bachelor's

¹ Premium processing service can be utilized only if the instant H-1B registration is selected.

or higher degree in the specific specialty as a minimum for entry into the occupation in the U.S.;

- (3) The position must be (a) Bachelor's or higher degree or its equivalent is normally the minimum entry requirement for the particular position (b) The degree requirement is common to the industry in parallel positions among similar organizations or the job is so complex or unique that it can be performed only by an individual with a degree (c) The employer normally requires a degree or its equivalent for the position (d) The nature of the specific duties is so specialized and complex that the knowledge required to perform the duties is usually associated with the attainment of a bachelor's or higher degree;
- (4) Applicant must meet one of the following criteria: (a) Hold a U.S. bachelor's or higher degree required by the specialty occupation from an accredited college or university (b) Hold a foreign degree that is the equivalent to a U.S. bachelor's or higher degree required by the specialty occupation from an accredited college or university (c) Hold an unrestricted state license, registration, or certification that authorize you to fully practice the specialty occupation and be immediately engaged in that specialty in the state of intended employment.

The above-mentioned eligibility criteria may be subject to change from time to time by USCIS without prior notice. Please consult with Kaizen Consultants for more information.

4. Procedures and Timeline

USCIS employs an electronic registration system for the selection of H-1B petitions. The lottery is held annually in every March. The initiation of the H-1B procedures starts with employer registering for the H-1B electronic registration. USCIS will then hold a lottery and notify the employer who were selected. Upon selection, employer should file H-1B petition to the USCIS before the designated deadline. USCIS processing time ranges from almost 6 months with regular processing to about 3 weeks with premium processing. The prospective employee can obtain the H-1B visa at the consular post should the petition be approved. In another case if the employee is already in the U.S., a change of status application must be filed with USCIS or the individual may leave the country to obtain a visa at a U.S. consulate and reenter the U.S. as an H-1B worker. The whole application process generally takes about 4 to 9 months. Please be noted that in the case USCIS or the

U.S. consulate finds the submitted documents to be insufficient, it may request for additional evidence that the application time shall be extended.

5. Documents and Information Needed

Employer:

- (1) Company Profile;
- (2) Recent Tax Return;
- (3) Business License and Permits;
- (4) Certified Labor Conditions Application.

Beneficiary:

- (1) Passport Biographical Page, U.S. Visas, and Latest Form I-94;
- (2) Resume;
- (3) Degree Diplomas and Transcripts;
- (4) Proof of Prior Employment, including Recent Paystubs and Form W-2 (if applicable).

All documents submitted must be in English or translated into English by a certified translation body.

*USCIS reserve the right to demand further documents from the applicant or employing company as and when necessary.

6. Application Procedures

The whole application process would take about 4 to 11 months. The table below shows the estimated time frame for each of the steps for the registration process.

Step	Procedure	Responsible Party	Working Days (estimated)
1	Interview with our immigration consultant.	Client	Client's Schedule
2	Sign and return retainer agreement along with retainer fees.	Client	Client's Schedule
3	Complete questionnaire and prepare the documents specified in the checklist.	Client	Client's Schedule
4	Upon receipt of the aforesaid documents, our firm will prepare and submit the H-1B electronic registration.	Kaizen	2 - 3 Days
5	USCIS releases lottery results.	USCIS	As per the schedule announced by USCIS each year
6	If registration is selected, our firm will prepare and file H-1B petition to the USCIS.	Kaizen	30 Days
7	Receive response from USCIS.	USCIS	USCIS Processing Time: 1-6 Months

8	If the case is approved, the case will be forwarded to National Visa Centre and we will prepare the visa application and schedule interview appointment. If USCIS requests further evidences, we will prepare for the response.	Kaizen	RFE Response: 2 Weeks
9	Receive response from USCIS.	USCIS	Up to 84 days
10	Prepare client for interview.	Client	Client's Schedule
11	Interview at the consulate.	Client	Consulate's Schedule
12	Receive passport and visa.	Client	3-4 Days
Total working days			4-11 Months

Note:

- (1) The estimated time is based on high cooperation between Kaizen and the client.
- (2) The estimated time does not include delays caused by relevant government agencies.

7. Validity of Work Visa

The initial validity period of an H-1B visa is no more than 3 years. The visa holder can petition USCIS to request an extension of stay in H status for 3 years before his or her status expires. The maximum period of stay in H status is 6 years.

Workers admitted under the visa application scheme which are mentioned in this quotation who are on employment condition shall only take up such employment as approved by the USCIS. In case the visa holder decided to change of job, they must seek prior approval from the USCIS even the work visa still not yet expired. Such applications may be favourably considered if the applicants continue to fulfill the eligibility criteria under relevant visa application scheme.

If you need any assistance or wish to obtain more information, please browse our official website at www.kaizenvis.com or contact us through the following means:

T: +852 2341 1444

M: +852 5616 4140, +86 152 1943 4614

WhatsApp/WeChat/Line: +852 5616 4140

Skype: kaizencpa

E: info@kaizenvis.com