



Fox Rothschild LLP
ATTORNEYS AT LAW

News & Publications

Border Battle: The Debate Over H-1B and L-1 Visas

Author: Alka Bahal

Law360

September 21, 2010

The recently signed Emergency Supplemental Appropriations Act will boost security along the southern border by providing \$600 million in funding and stationing 1,500 new federal agents along the border. The funding for this additional security will be partially paid for by increasing the fees that employers pay for H-1B and L-1 visa petitions. The law requires employers to pay an additional \$2,000/\$2,250 per application in addition to the other fees for filing, fraud, education and training, etc., resulting in a total cost of around \$4,300 per H-1B visa.

Critics, including Nasscom, a trade association representing high-tech Indian companies, say the law unfairly targets Indian companies and amounts to visa tax on Indian outsourcers while it ignores other heavy users of H-1B visas. Sen. Charles Schuman, who introduced the Act, said, "The purpose of this fee is not to target businesses from any particular country, but rather to increase fees for businesses who use the H-1B visa to do things that are contrary to the program's original intent."