

# PUBLICATION

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## Visa Fees to Increase in a Few Months

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**December 11, 2009**

**The State Department has PROPOSED to raise the base visa fees from \$131 to a higher amount varying by category, from \$140 to \$390. This is on top of USCIS petition fees and visa reciprocity fees.**

A few years ago the State Department simply announced, without receiving public comment, an across-the-board increase in the "machine readable visa fee" to \$131. This time, the Department is instead asking for comments on a proposed rule, probably because for the first time the base visa fee will vary by visa classification, as follows:

- Non-petition-based nonimmigrant visa (except E category) \$140
- H, L, O, P and R category nonimmigrant visa: \$150 E category nonimmigrant visa: \$390
- K category nonimmigrant visa: \$350
- Border crossing card – age 15 and over (valid 10 years): \$140
- Border crossing card –under age 15; for Mexican citizens if parent or guardian has or is applying for a border crossing card (valid 10 years of until the applicant reaches age 15, whichever is sooner): \$14

The higher fees than the new \$140 base fee for most case types is said to account for extra work relating to those types, and it makes some sense. For H, L, O, P, and R classifications, the consular officer must confirm in a separate database link that USCIS in fact did approve the underlying petition (for which the employer has already paid filing fees ranging from \$320 to \$3320). E visas don't require a prior USCIS petition, so the consular staff must sort through eligibility involving trade or investment in the first instance. K visas are for fiances and spouses as a bridge to permanent residence (for which visa fees normally are \$470), so the consulate must look at medical exams, financial support, and other issues more carefully than most temporary visas. Like USCIS, the Bureau of Consular Affairs in the State Department is supposed to be largely self-supporting through fees charged for services.

Applicants often must pay these fees through some bank or similar institution in the country where the visa application will be made. The State Department has allowed applicants to pay immigrant (permanent) visa fees by ACH debit electronically, but so far it has not globally solved the payment inconvenience for nonimmigrant visas.

The revised base fee does not affect the separate fee charged as a matter of "reciprocity," based on what the applicant's country charges to U.S. visa applicants in similar situations. The reciprocity fee for many countries is nothing at all, and for other countries hundreds of dollars. Reciprocity fees typically are paid at the consulate at the time of visa interview.

While the fee increase is only proposed, we anticipate that it will not change as a result of comments and that it will take effect within 4 to 6 months.