“Recruitment fees” means—

(1) Recruitment fees include but are not limited to the following fees, charges, or costs:
   a. for soliciting, identifying, considering, interviewing, referring, retaining, transferring, selecting, or placing potential employees;
   b. for covering the cost, in whole or in part, of advertising;
   c. for certifying labor applications;
   d. for processing petitions;
   e. for visas and any fee that facilitates an employee obtaining a visa such as appointment and application fees;
   f. for government-mandated costs such as border crossing fees;
   g. for procuring photographs and identity documentation, including any nongovernmental passport fees;
   h. fees charged as a condition of access to the job opportunity, including procuring medical examinations and immunizations and obtaining background, reference and security clearance checks and examinations; and
   i. for an employer’s recruiters, agents or attorneys, or other notary or legal fees.

(2) Any fee, charge, or cost may be a recruitment fee regardless of whether it is deducted from wages, paid back in wage or benefit concessions, paid back as a kickback, bribe or tribute, remitted in connection with recruitment, or collected by an employer or a third party, including but not limited to agents, recruiters, staffing firms (including private employment and placement firms), subsidiaries/affiliates of the employer and any agent or employee of such entities.