

Mobility: Immigration alert

February 2024

United States

USCIS Issues Final Rule to Adjust Certain Immigration and Naturalization Fees

Executive summary

Effective 1 April 2024, U. S. Citizenship and Immigration Services (USCIS) will adjust numerous fees relating to immigration and naturalization benefits. This is the first fee adjustment since 2016. The fee adjustment will affect numerous immigration benefits, including H-1B, L-1, and O-1 petitions; Applications for Employment Authorization, Advance Parole, and Adjustment of Status; and the EB-5 Program. Furthermore, the H-1B electronic registration processing fee will increase, but as the registration process will be completed in March, this particular fee increase will not affect the upcoming fiscal year 2025 H-1B cap.

Background and analysis

The *Immigration and Nationality Act* (INA) authorizes the Department of Homeland Security (DHS) to regularly adjust government filing and processing fees to ensure a full recovery of costs. Below is a chart outlining current and new fees for some of the impacted forms and processes:

Form/Process	Prior Fee	New Fee	Difference
H-1B Registration Process Fee	\$10	\$215	\$205
I-129 H-1 Classifications	\$460	\$780	\$320
I-129 H-1 Classifications (small employers and nonprofits)	\$460	\$460	\$0
I-129 Petition for L Nonimmigrant workers	\$460	\$1,385	\$925
I-129 Petition for L Nonimmigrant workers (small employers and nonprofits)	\$460	\$695	\$235
I-129 Petition for O Nonimmigrant workers	\$460	\$1,055	\$595

I-129 Petition for O Nonimmigrant workers (small employers and nonprofits)	\$460	\$530	\$70
I-131 Application for Travel Document	\$575	\$630	\$55
I-131 Application for Travel Document (with biometric services)	\$660	\$630	-\$30
I-140 Immigrant Petition for Alien Workers	\$700	\$715	\$15
I-485 Application to Register Permanent Residence or Adjust Status	\$1,140	\$1,440	\$300
I-485 Application to Register Permanent Residence or Adjust Status (with biometric services)	\$1,225	\$1,440	\$215
I-485 Application to Register Permanent Residence or Adjust Status (under the age of 14 in certain conditions)	\$750	\$950	\$200
I-539 Application to Extend/Change Nonimmigrant Status (online filing)	\$370	\$420	\$50
I-539 Application to Extend/Change Nonimmigrant Status (online filing) (with biometric services)	\$455	\$420	-\$35
I-539 Application to Extend/Change Nonimmigrant Status (paper filing)	\$370	\$470	\$100
I-539 Application to Extend/Change Nonimmigrant Status (paper filing) (with biometric services)	\$455	\$470	\$15
I-765 Application for Employment Authorization (online filing)	\$410	\$470	\$60
I-765 Application for Employment Authorization (online filing) (with biometric services)	\$495	\$470	-\$25



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I-765 Application for Employment Authorization (paper filing)	\$410	\$520	\$110
I-765 Application for Employment Authorization (paper filing) (with biometric services)	\$495	\$520	\$25
N-400 Application for Naturalization (online filing)	\$640	\$710	\$70
N-400 Application for Naturalization (online filing) (with biometric services)	\$725	\$710	-\$15
N-400 Application for Naturalization (paper filing)	\$640	\$760	\$120
N-400 Application for Naturalization (paper filing) (with biometric services)	\$725	\$760	\$35
USCIS Immigrant Fee	\$220	\$235	\$15

Additionally, DHS has established a new Asylum Program Fee of \$600. This fee must be paid by employers who file either a Form I-129 or Form I-129CW and applies to extensions in addition to initial filings. A lower fee of \$300 will be required if the entity filing the I-129 or I-129CW employs 25 or fewer full-time equivalent workers. The fee will not be required at all if the entity is approved by the IRS as a nonprofit.

What this means

Any filings or procedures with USCIS on or after 1 April 2024, must contain the adjusted fees. Otherwise, USCIS will reject or deny the benefit.

EY Law will continue to monitor these developments. Should you have any questions, please contact one of our US immigration professionals.

EY Law LLP

Alex Israel, Partner
+1 416 943 2698
alex.d.israel@ca.ey.com

Jonathan Leebosh, Partner
+1 604 899 3560
jonathan.e.leeboosh@ca.ey.com

Christopher Gordon, Partner
+1 416 943 2544
christopher.d.gordon@ca.ey.com

Roxanne Israel, Partner
+1 403 206 5086
roxanne.n.israel@ca.ey.com

Marwah Serag, Partner
+1 416 943 2944
marwah.serag@ca.ey.com

Nadia Allibhai, Partner
+1 613 598 4866
nadia.allibhai@ca.ey.com

Melanie Bradshaw, Partner
+1 416 876 6671
melanie.bradshaw@ca.ey.com

Stephanie Lipstein, Partner
+1 514 879 2725
stephanie.lipstein@ca.ey.com

Mehlman Jacobs LLP
Sharon Mehlman, Partner
+1 858 404 9350
sharon.mehlman@mehlmanjacobs.com

Dilnaz A. Saleem, Partner
+1 713 750 1068
dilnaz.saleem@mehlmanjacobs.com

Author: Anna G. Caltabiano, Associate Attorney, Manager
+1 713 750 4808
anna.caltabiano@mehlmanjacobs.com

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