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# Frequently Asked Questions on the USCIS Fee Rule

On Jan. 30, 2024, we published a final rule to adjust certain immigration and naturalization benefit request fees for the first time since 2016. With the final rule, USCIS can recover its operating costs more fully and support timely processing of new applications.

Unlike many other federal agencies, we are almost entirely fee-funded. Approximately 96% of our funding is from filing fees, and only about 4% is from congressional appropriations.

This final rule goes into effect on April 1, 2024.

## Frequently Asked Questions

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### Background ^

#### **Q. Why does USCIS need a new fee schedule?**

A. The fee schedule from 2016 no longer covers operational costs to timely adjudicate USCIS immigration and naturalization benefits. We need higher fees to cover the cost of doing business and better avoid the accumulation of future backlogs.

#### **Q. What about funding from Congress?**

A. We receive 96% of our funding from our customers in the form of filing fees, not from taxpayers in the form of congressional appropriations.

Fortunately, Congress provided much-needed support in fiscal year 2022, appropriating \$275 million specifically to reduce current backlogs and advance our humanitarian mission.

We will require continued congressional support to eliminate our current backlogs. It is our intention is that the new fee rule will allow us to keep pace with incoming cases and avoid future backlogs.

The Fee Rule was developed before the proposed Border Security Supplemental Funding. USCIS funding requested in the Supplemental will NOT be covered by any increased fees collected through the Fee Rule.

#### **Q. How did current backlogs accumulate in the first place?**

A. As described in our [Fiscal Year 2022 Progress Report \(PDF, 1.08 MB\)](#), immigration filings decreased dramatically in the wake of the COVID-19 pandemic, and revenue temporarily dropped by 40%. A



hiring freeze and workforce attrition reduced the agency's capacity to complete cases, even as incoming caseloads rebounded to pre-COVID levels.

The hiring freeze was lifted in March 2021, and we are working to fill current vacancies by recruiting and training new staff—[we are hiring!](#)

We have continued to deliver improved services even in advance of this new fee rule. To stay on a strong fiscal footing and continue improving our delivery of timely decisions, we need the resources that this fee rule will provide.

**Q. How much revenue does USCIS expect to receive under the new fee schedule?**

A. We expected the previous fee schedule, in place since 2016, to yield an average of \$3.28 billion per year (excluding fees for premium processing and temporary programs).

Under the fee schedule proposed in January 2023, we would have received an estimated average of \$5.2 billion per year.

Under this final rule, we expect to receive an average of \$4.42 billion per year. This is 14.1% less revenue – and less cost burden on filers – compared to the proposed rule, because the final rule removed \$727 million of average annual estimated costs by transferring costs to premium processing revenue, reducing the work to be funded by the Asylum Program Fee, and considering the budget effects of improved efficiency measures.

Thus, the final fee rule would generate an additional average \$1.14 billion per year in agency revenue compared with the previous fee schedule baseline. This is the amount necessary to match agency capacity with projected workloads, so that backlogs do not accumulate in the future.

**Q. When was the last time USCIS increased fees?**

A. The previously implemented USCIS fee schedule was published in a [fee rule \(PDF\)](#) that went into effect more than seven years ago, on Dec. 23, 2016.

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## Fee Rule Summary

**Q. How will this rule change the USCIS fee schedule, in summary?**

A. Core elements of the final rule include the following:

- For individual filers, the final rule generally limits newly established fees to no more than the increase in the Consumer Price Index since 2016, which is 26%. Many such fees will increase by well under 26%.
- The final fee rule holds fee increases to a low level for naturalization and adoption applications and petitions.
- The final fee rule mitigates higher fees for employer filers by special discounts for nonprofits and small employers.
- The final fee rule codifies existing fee waiver eligibility for low-income and vulnerable populations and expands fee exemptions for certain humanitarian and other beneficiaries.



- For forms where USCIS offers online filing, there will generally be a \$50 discount for those who choose this online option over paper filing.

### **Q. How is the final rule different from the proposed rule?**

A. We published a notice of proposed rulemaking in January 2023 and received over 5,400 unique public comments in response. Acknowledging this feedback from stakeholders, the final fee rule includes several important changes compared with the proposed version.

Compared with the proposed rule, every fee is the same or lower in the final rule.

Final rule changes from the proposed rule include:

- Lowering the agency's required annual cost recovery by \$727 million, in part by considering the budget effects of improved efficiency measures;
- Expanding fee exemptions for Special Immigrant Juveniles; victims of human trafficking (T visa), crime (U visa), and domestic violence (petitioners under the Violence Against Women Act); U.S. military servicemembers and our Afghan allies; and families pursuing international adoption;
- Providing special fee discounts for nonprofits and small employers;
- Allowing half-price Employment Authorization Document applications for applicants for adjustment of status and a reduced fee for adjustment of status applicants under the age of 14 in certain conditions;
- Implementing a standard \$50 discount for online filers;
- Expanding eligibility for reduced-fee naturalization applications, available to individuals who can demonstrate household income between 150% and 400% of the Federal Poverty Guidelines; and
- Expanding fee exemptions for certain USCIS processes for adoptions, including a second extension, a second change in country, and a duplicate approval notice request.

### **Q. What additional changes are in the final rule?**

A. Specific changes from the proposed rule that are also in the final rule include:

- Incorporating biometric services costs into the main benefit fee and removing the separate biometric services fee in most cases (Temporary Protected Status and the filings accepted on behalf of the Executive Office for Immigration Review are exceptions, where the rule proposes a separate biometric services fee of \$30 instead of the current \$85);
- Eliminating the \$30 returned check fee;
- Requiring separate filing fees for Form I-485 (adjustment of status), Form I-131 (travel document), and Form I-765 (employment authorization), whether or not they are filed together;
- Establishing separate fees for Form I-129, Petition for a Nonimmigrant Worker, by nonimmigrant classification;
- Limiting the number of named beneficiaries on certain petitions for nonimmigrant workers to 25;
- Revising the premium processing timeframe interpretation from calendar days to business days;
- Clarifying that USCIS will not redeposit payments returned as unpayable for a reason other than insufficient funds;

- Stating that fees paid to USCIS using a credit card are not subject to dispute, chargeback, force majeure, refund, or return to the cardholder for any reason except at the discretion of USCIS;
- Revising certain USCIS processes for adoptions from countries that are not party to the Hague Adoption Convention (orphan cases) to align them with the processes for adoptions from countries that are party to that Convention;
- Providing fee exemptions for adoptees filing applications for Certificates of Citizenship and naturalization based on adoption; and
- Revising regulations related to genealogy searches, including establishing a fee for Form G-1566, Request for Certificate of Non-Existence.



## New Fee Schedule Table ^

For each relevant form, the following table (adapted from Table 1 of the final fee rule) compares the previously enacted fee, the fee from the January 2023 Notice of Proposed Rulemaking (NPRM), and the final rule fee that goes into effect on April 1, 2024.

On or before this effective date, we will also post an updated comprehensive fee schedule on our Fee Schedule webpage.

### Select Immigration and Naturalization Filing Fees

Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
I-90 Application to Replace Permanent Resident Card (online filing)	\$455	\$455	\$415	-\$40	-9%
I-90 Application to Replace Permanent Resident Card (online filing) (with biometric services)	\$540	\$455	\$415	-\$125	-23%
I-90 Application to Replace Permanent Resident Card (paper filing)	\$455	\$465	\$465	\$10	2%
I-90 Application to Replace Permanent Resident Card (paper filing) (with biometric services)	\$540	\$465	\$465	-\$75	-14%



Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
				Current vs. Final Fees	Percentage
I-102 Application for Replacement/Initial Nonimmigrant Arrival-Departure Document	\$445	\$680	\$560	\$115	26%
I-129 H-1B	\$460	\$780	\$780	\$320	70%
I-129 H-1B (small employers and nonprofits)	\$460	\$780	\$460	\$0	0%
I-129 H-2A - Named Beneficiaries	\$460	\$1,090	\$1,090	\$630	137%
I-129 H-2A - Named Beneficiaries (small employers and nonprofits)	\$460	\$1,090	\$545	\$85	18%
I-129 H-2A - Unnamed Beneficiaries	\$460	\$530	\$530	\$70	15%
I-129 H-2A - Unnamed Beneficiaries (small employers and nonprofits)	\$460	\$530	\$460	\$0	0%
I-129 H-2B - Named Beneficiaries	\$460	\$1,080	\$1,080	\$620	135%
I-129 H-2B - Named Beneficiaries (small employers and nonprofits)	\$460	\$1,080	\$540	\$80	17%
I-129 H-2B - Unnamed Beneficiaries	\$460	\$580	\$580	\$120	26%
I-129 H-2B - Unnamed Beneficiaries (small employers and nonprofits)	\$460	\$580	\$460	\$0	0%



Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
I-129 Petition for L Nonimmigrant workers	\$460	\$1,385	\$1,385	\$925	201%
I-129 Petition for L Nonimmigrant workers (small employers and nonprofits)	\$460	\$1,385	\$695	\$235	51%
I-129 Petition for O Nonimmigrant workers	\$460	\$1,055	\$1,055	\$595	129%
I-129 Petition for O Nonimmigrant workers (small employers and nonprofits)	\$460	\$1,055	\$530	\$70	15%
I-129CW CNMI-Only Nonimmigrant Transitional Worker and I-129 Petition for Nonimmigrant Worker: E, H-3, P, Q, R, or TN Classifications	\$460	\$1,015	\$1,015	\$555	121%
I-129CW CNMI-Only Nonimmigrant Transitional Worker and I-129 Petition for Nonimmigrant Worker: E, H-3, P, Q, R, or TN Classifications (with biometric services)	\$545	\$1,015	\$1,015	\$470	85%
I-129CW Petition for a CNMI-Only Nonimmigrant Transitional Worker and I-129 Petition for Nonimmigrant Worker: E, H-3, P, Q, R, or TN Classifications (small employers and nonprofits)	\$460	\$1,015	\$510	\$50	11%



Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
I-129CW Petition for a CNMI-Only Nonimmigrant Transitional Worker and I-129 Petition for Nonimmigrant Worker: E, H-3, P, Q, R, or TN Classifications (small employers and nonprofits) (with biometric services)	\$545	\$1,015	\$510	-\$35	-6%
I-129F Petition for Alien Fiancé(e)	\$535	\$720	\$675	\$140	26%
I-130 Petition for Alien Relative (online filing)	\$535	\$710	\$625	\$90	17%
I-130 Petition for Alien Relative (paper filing)	\$535	\$820	\$675	\$140	26%
I-131 Application for Travel Document	\$575	\$630	\$630	\$55	10%
I-131 Application for Travel Document (with biometric services)	\$660	\$630	\$630	-\$30	-5%
I-131 Refugee Travel Document for an individual age 16 or older	\$135	\$165	\$165	\$30	22%
I-131 Refugee Travel Document for an individual age 16 or older (with biometric services)	\$220	\$165	\$165	-\$55	-25%
I-131 Refugee Travel Document for a child under the age of 16	\$105	\$135	\$135	\$30	29%
I-131 Refugee Travel Document for a child under the age of 16 (with biometric services)	\$190	\$135	\$135	-\$55	-29%



Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
I-131A Application for Travel Document (Carrier Documentation)	\$575	\$575	\$575	\$0	0%
I-140 Immigrant Petition for Alien Workers	\$700	\$715	\$715	\$15	2%
I-191 Application for Relief Under Former Section 212(c) of the Immigration and Nationality Act (INA)	\$930	\$930	\$930	\$0	0%
I-192 Application for Advance Permission to Enter as Nonimmigrant (CBP)	\$585	\$1,100	\$1,100	\$515	88%
I-192 Application for Advance Permission to Enter as Nonimmigrant (USCIS)	\$930	\$1,100	\$1,100	\$170	18%
I-193 Application for Waiver of Passport and/or Visa	\$585	\$695	\$695	\$110	19%
I-212 Application for Permission to Reapply for Admission into the U.S. After Deportation or Removal	\$930	\$1,395	\$1,175	\$245	26%
I-290B Notice of Appeal or Motion	\$675	\$800	\$800	\$125	19%
I-360 Petition for Amerasian, Widow(er), or Special Immigrant	\$435	\$515	\$515	\$80	18%
I-485 Application to Register Permanent Residence or Adjust Status	\$1,140	\$1,540	\$1,440	\$300	26%





Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
I-485 Application to Register Permanent Residence or Adjust Status (with biometric services)	\$1,225	\$1,540	\$1,440	\$215	18%
I-485 Application to Register Permanent Residence or Adjust Status (under the age of 14 in certain conditions)	\$750	\$1,540	\$950	\$200	27%
I-526/526E Immigrant Petition by Standalone/Regional Center	\$3,675	\$11,160	\$11,160	\$7,485	204%
I-539 Application to Extend/Change Nonimmigrant Status (online filing)	\$370	\$525	\$420	\$50	14%
I-539 Application to Extend/Change Nonimmigrant Status (online filing) (with biometric services)	\$455	\$525	\$420	-\$35	-8%
I-539 Application to Extend/Change Nonimmigrant Status (paper filing)	\$370	\$620	\$470	\$100	27%
I-539 Application to Extend/Change Nonimmigrant Status (paper filing) (with biometric services)	\$455	\$620	\$470	\$15	3%
I-600 Petition to Classify Orphan as an Immediate Relative and I-600A Application for Advance Processing of an Orphan Petition	\$775	\$920	\$920	\$145	19%



Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
I-600 Petition to Classify Orphan as an Immediate Relative and I-600A Application for Advance Processing of an Orphan Petition (with biometric services for one adult)	\$860	\$920	\$920	\$60	7%
I-600A/I-600 Supplement 3 Request for Action on Approved Form I-600A/I-600	N/A	\$455	\$455	\$455	N/A
I-601 Application for Waiver of Grounds of Inadmissibility	\$930	\$1,050	\$1,050	\$120	13%
I-601A Provisional Unlawful Presence Waiver	\$630	\$1,105	\$795	\$165	26%
I-601A Provisional Unlawful Presence Waiver (with biometric services)	\$715	\$1,105	\$795	\$80	11%
I-612 Application for Waiver of the Foreign Residence Requirement (Under Section 212(e) of the INA, as Amended)	\$930	\$1,100	\$1,100	\$170	18%
I-687 Application for Status as a Temporary Resident	\$1,130	\$1,240	\$1,240	\$110	10%
I-687 Application for Status as a Temporary Resident (with biometric services)	\$1,215	\$1,240	\$1,240	\$25	2%
I-690 Application for Waiver of Grounds of Inadmissibility Under Sections 245A or 210 of the Immigration and Nationality Act	\$715	\$985	\$905	\$190	27%



Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
I-694 Notice of Appeal of Decision	\$890	\$1,155	\$1,125	\$235	26%
I-698 Application to Adjust Status from Temporary to Permanent Resident (Under Section 245A of the INA)	\$1,670	\$1,670	\$1,670	\$0	0%
I-698 Application to Adjust Status from Temporary to Permanent Resident (Under Section 245A of the INA) (with biometric services)	\$1,755	\$1,670	\$1,670	-\$85	-5%
I-751 Petition to Remove Conditions on Residence	\$595	\$1,195	\$750	\$155	26%
I-751 Petition to Remove Conditions on Residence (with biometric services)	\$680	\$1,195	\$750	\$70	10%
I-765 Application for Employment Authorization (online filing)	\$410	\$555	\$470	\$60	15%
I-765 Application for Employment Authorization (online filing) (with biometric services)	\$495	\$555	\$470	-\$25	-5%
I-765 Application for Employment Authorization (paper filing)	\$410	\$650	\$520	\$110	27%
I-765 Application for Employment Authorization (paper filing) (with biometric services)	\$495	\$650	\$520	\$25	5%



Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
				Current vs. Final	Fees
I-800 Petition to Classify Convention Adoptee as an Immediate Relative and Form I-800A, Application for Determination of Suitability to Adopt a Child from a Convention Country	\$775	\$925	\$920	\$145	19%
I-800 Petition to Classify Convention Adoptee as an Immediate Relative and Form I-800A, Application for Determination of Suitability to Adopt a Child from a Convention Country (with biometric services)	\$860	\$925	\$920	\$60	7%
I-800A Supplement 3, Request for Action on Approved Form I-800A	\$385	\$455	\$455	\$70	18%
I-800A Supplement 3, Request for Action on Approved Form I-800A (with biometric services)	\$470	\$455	\$455	-\$15	-3%
I-817 Application for Family Unity Benefits	\$600	\$875	\$760	\$160	27%
I-817 Application for Family Unity Benefits (with biometric services)	\$685	\$875	\$760	\$75	11%
I-824 Application for Action on an Approved Application or Petition	\$465	\$675	\$590	\$125	27%
I-829 Petition by Investor to Remove Conditions	\$3,750	\$9,525	\$9,525	\$5,775	154%



Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
I-829 Petition by Investor to Remove Conditions (with biometric services)	\$3,835	\$9,525	\$9,525	\$5,690	148%
I-881 Application for Suspension of Deportation or Special Rule Cancellation of Removal (for an individual adjudicated by DHS)	\$285	\$340	\$340	\$55	19%
I-881 Application for Suspension of Deportation or Special Rule Cancellation of Removal (for an individual adjudicated by DHS) (with biometric services)	\$370	\$340	\$340	-\$30	-8%
I-881 Application for Suspension of Deportation or Special Rule Cancellation of Removal (for a family adjudicated by DHS)	\$570	\$340	\$340	-\$230	-40%
I-881 Application for Suspension of Deportation or Special Rule Cancellation of Removal (for a family adjudicated by DHS) (with biometric services for two people)	\$740	\$340	\$340	-\$315	-48%
I-910 Application for Civil Surgeon Designation	\$785	\$1,230	\$990	\$205	26%
I-929 Petition for Qualifying Family Member of a U-1 Nonimmigrant	\$230	\$275	\$0	-\$230	-100%
I-941 Application for Entrepreneur Parole	\$1,200	\$1,200	\$1,200	\$0	0%



Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
I-941 Application for Entrepreneur Parole (with biometric services)	\$1,285	\$1,200	\$1,200	-\$85	-7%
I-956 Application for Regional Center Designation	\$17,795	\$47,695	\$47,695	\$29,900	168%
I-956F Application for Approval of an Investment in a Commercial Enterprise	\$17,795	\$47,695	\$47,695	\$29,900	168%
I-956G Regional Center Annual Statement	\$3,035	\$4,470	\$4,470	\$1,435	47%
N-300 Application to File Declaration of Intention	\$270	\$320	\$320	\$50	19%
N-336 Request for Hearing on a Decision in Naturalization Proceedings Under Section 336 (online filing)	\$700	\$830	\$780	\$80	11%
N-336 Request for Hearing on a Decision in Naturalization Proceedings Under Section 336 (paper filing)	\$700	\$830	\$830	\$130	19%
N-400 Application for Naturalization (online filing)	\$640	\$760	\$710	\$70	11%
N-400 Application for Naturalization (online filing) (with biometric services)	\$725	\$760	\$710	-\$15	-2%
N-400 Application for Naturalization (paper filing)	\$640	\$760	\$760	\$120	19%



Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
N-400 Application for Naturalization (paper filing) (with biometric services)	\$725	\$760	\$760	\$35	5%
N-400 Application for Naturalization (applicants with household income between 150 and 400% of the Federal Poverty Guidelines (FPG))	\$320	\$380	\$380	\$60	19%
N-400 Application for Naturalization (applicants with household income between 150 and 400% of the FPG) (with biometric services)	\$405	\$380	\$380	-\$25	-6%
N-470 Application to Preserve Residence for Naturalization Purposes	\$355	\$420	\$420	\$65	18%
N-565 Application for Replacement Naturalization/Citizenship Document (online filing)	\$555	\$555	\$505	-\$50	-9%
N-565 Application for Replacement Naturalization/Citizenship Document (paper filing)	\$555	\$555	\$555	\$0	0%
N-600 Application for Certificate of Citizenship (online filing)	\$1,170	\$1,385	\$1,335	\$165	14%
N-600 Application for Certificate of Citizenship (paper filing)	\$1,170	\$1,385	\$1,385	\$215	18%



Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
N-600K Application for Citizenship and Issuance of Certificate (online filing)	\$1,170	\$1,385	\$1,335	\$165	14%
N-600K Application for Citizenship and Issuance of Certificate (paper filing)	\$1,170	\$1,385	\$1,385	\$215	18%
USCIS Immigrant Fee	\$220	\$235	\$235	\$15	7%
H-1B Registration Process Fee	\$10	\$215	\$215	\$205	2,050%
Biometric Services (limited circumstances)	\$85	\$30	\$30	-\$55	-65%
G-1041 Genealogy Index Search Request (online filing)	\$65	\$100	\$30	-\$35	-54%
G-1041 Genealogy Index Search Request (paper filing)	\$65	\$120	\$80	\$15	23%
G-1041A Genealogy Records Request (online filing)	\$65	\$240	\$30	-\$35	-54%
G-1041A Genealogy Records Request (paper filing)	\$65	\$260	\$80	\$15	23%
G-1566 Request for Certificate of Non-Existence	\$0	\$330	\$330	\$330	N/A

## Fee Waivers, Exemptions, and Reductions

### **Q. What does the final rule say about fee waivers?**

A. The final rule codifies that fee waiver eligibility is based on an inability to pay and that fee waivers will continue to be available for applicants who receive means-tested public benefits, have income at or below 150% of the Federal Poverty Guidelines, or who demonstrate financial hardship.





## Q. How does the fee rule expand fee exemptions?

A. Before this final rule, we provided fee exemptions, authorized under the INA section 286(m), 8 U.S.C. 1356(m), through policy guidance documents, such as form instructions, the USCIS policy manual, or similar directives, but not always in regulations. In this final rule, we codify several fee exemptions, including for humanitarian-related forms, because of the humanitarian nature of these programs and the likelihood that individuals who file requests related to these categories will qualify for a fee waiver if they request it. In addition, the final rule provides additional fee exemptions for certain immigration benefit requests, including:

- All forms associated with an application for T nonimmigrant status through final adjudication of the T nonimmigrant's Form I-485, the application for adjustment of status to lawful permanent resident (LPR);
- All forms associated with U nonimmigrant status including the filing of a Form I-485;
- All forms associated with a Violence Against Women Act-based Form I-360 filing through final adjudication of the adjustment of status application, including the filing of Forms I-290B, I-212, I-601, I-765 and I-824;
- Conditional permanent residents seeking a waiver of the Form I-751 joint-filing requirement based on battery or extreme cruelty;
- Abused spouses and children seeking benefits under the Nicaraguan Adjustment and Central American Relief Act (NACARA) for all forms filed through final adjudication for adjustment of status to LPR, including Form I-765 as well as Form I-881, Application for Suspension of Deportation or Special Rule Cancellation of Removal (Pursuant to Section 203 of Public Law 105-100 (NACARA)) and associated forms;
- Benefits for Special Immigrant Afghan or Iraqi translators or interpreters, Iraqi nationals employed by or for the U.S. government or Afghan nationals employed by or for the U.S. government or employed by the International Security Assistance Force and their derivative beneficiaries, including filing Forms I-765, I-290B, I-824, I-485, I-212, I-601, and I-131;
- Special Immigrant Juveniles for all forms through final adjudication of the adjustment of status application, including Form I-485 and associated forms;
- Certain adoption-related applications or requests, including second extensions, second changes in country, duplicate approval notices, and certificates of citizenship and naturalization;
- Form I-131, Application for Travel Document, for persons admitted or paroled as refugees, including LPRs who obtained such status as refugees in the United State; and
- Current and former U.S. armed forces service members, including people who served honorably on active duty in the U.S. armed forces, including Forms I-765, I-485, I-360, and Form I-131.

You can find a complete list of previous and additional fee exemptions in the final rule in Tables 5A, 5B, and 5C.

## Q. What fees are reduced but not waived or exempted in the final fee rule?

A. Under the final fee rule:

- Individuals seeking adjustment of status will pay half the standard fee for [Form I-765, Application for Employment Authorization](#), if they paid the full fee for a concurrently filed or pending adjustment application;



- There will be no separate biometric services fee for most applicants;
- Nonprofits and small employers (25 or fewer full-time equivalent employees) filing Form I-129 will pay a 50% discounted fee (or the same fee as under the previous fee rule, if 50% of the standard new fee would be less than the previous fee);
- There will be a \$50 discount for forms filed online with USCIS, except in limited circumstances, such as when the form fee is already provided at a substantial discount or USCIS is prohibited by law from charging a full cost recovery level fee; and
- Naturalization applicants filing Form N-400 who have incomes between 150% and 400% of the [Federal Poverty Guidelines](#) will pay half the full fee. Previous regulations provided the half-price fee for applicants whose incomes were between 150% and 200% of the Federal Poverty Guidelines.

### **Q. Why is there a \$50 discount for online versus paper filing?**

A. We encourage online filing—where available—for a more efficient electronic submission and adjudication process. Intaking, storing, and handling paper all require significant operational resources, and information recorded on paper cannot be as effectively standardized or used for fraud and national security, information sharing, and system integration purposes. Every benefit request submitted online instead of on paper provides direct and immediate cost savings and operational efficiencies to both USCIS and filers—benefits that will increase throughout an individual’s immigration journey as more benefit requests become [available for online filing](#) and case management.

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## Naturalization

### **Q. How does the final rule affect the fees for naturalization applications?**


A. We have long recognized the social and economic benefits that the United States receives from new citizens, and, to that end, prior fee rules have kept naturalization application fees below the level of full cost recovery.

The new fee rule will further reduce the total cost of most applicants, as indicated in the table below. Previously, the total cost included both an application fee (\$640) and a separate biometric services fee (\$85), for a total of \$725 for most applicants. Under the new fee rule, there is no longer a separate biometric services fee, and the total fee is \$710 for online filers or \$760 for paper filers.

The new fee rule also provides a reduced naturalization fee (\$380) for applicants with a household income between 150% and 400% of the Federal Poverty Guidelines (FPG), expanding eligibility for this reduced fee. Under the previous fee schedule, this reduced fee was only available to applicants with a household income between 150% and 200% of the FPG.

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## International Adoption

Type of Filing	Previous fee(s)	Final rule fee(s)	\$ change	change 
N-400, Application for Naturalization, including biometric services (online filing)	\$725	\$710	-\$15	-2%
N-400, Application for Naturalization, including biometric services (paper filing)	\$725	\$760	\$35	5%
N-400, Application for Naturalization, including biometric services, for applicants with a certain household income in relation to the <a href="#">Federal Poverty Guidelines</a> (FPG) threshold <ul style="list-style-type: none"> <li>Note: Reduced fee requests must be filed on paper.</li> </ul>	\$405 (150-200% of the FPG)	\$380 (150-400% of the FPG)	-\$25	-6%

### Q. How will the final rule change adoption processes for orphan cases?

A. The rule changes the validity period for a [Form I-600A](#) approval in an orphan case to 15 months. Another key change is that we created a form supplement (Supplement 3) that prospective adoptive parents can use for requests for action on approved suitability determinations in orphan cases (instead of prospective adoptive parents having to draft their own letter). These changes will help align our processes for adoptions from countries that are not party to the Hague Adoption Convention (orphan cases) with the processes for adoptions from countries that are party to that convention. Also, the final rule provides fee exemptions for second extensions, second changes in country, duplicate approval notices, and certificates citizenship and naturalization for adoptees.

## Fee Increases

### Q. How did DHS calculate the various fee increases in the final rule?

A. DHS is authorized to recover the full costs of providing all such services, including the costs of similar services provided without charge to asylum applicants and other immigrants. Stated simply, the total fees that we receive may cover our total operational costs.

This means that the fees for a particular form may include the unit cost of adjudicating that form, plus an additional amount to cover the agency's non-adjudication overhead expenses. As part of that overhead, filers who pay the full fee may cover the agency's costs to adjudicate fee-exempt, fee-reduced, and fee-waived cases.



In addition, the rule includes a new Asylum Program Fee of \$600 that employers pay if they file either [Form I-129, Petition for a Nonimmigrant Worker](#), [Form I-129CW, Petition for a CNMI-Only Nonimmigrant Transitional Worker](#), or [Form I-140, Immigrant Petition for Alien Workers](#). The fee will cover some of the costs associated with asylum processing, which does not include its own fee. This fee increase for employer petitioners mitigates the size of the fee increases for individual filers.

In response to public comments, the final rule provides special relief for nonprofit petitioners (who will not pay the Asylum Program Fee) and for small employer petitioners with 25 or fewer full-time equivalent employees (who will pay half-price, or \$300).

In addition, for the Form I-129 fee and the Form I-129CW fee, nonprofits and small employers will pay a discounted fee of up to 50% off. We continue to emphasize that Congress could reduce the burden on our fee-paying customers by fully funding our humanitarian mission, as it does for other agencies.

### **Q. Why does the final rule increase the H-1B registration fee?**

A. In 2019, a [different rule \(PDF\)](#) established a \$10 registration fee per beneficiary for H-1B registrations. The \$10 registration fee is separate from and in addition to the H-1B petition filing fee for Form I-129. We require the registration fee regardless of whether the prospective petitioner's registration is selected. At that time, we did not have sufficient data to precisely estimate the costs of the registration process and implemented the \$10 fee to provide an initial stream of revenue to fund part of the costs to USCIS for operating the registration program.

The proposed \$215 H-1B registration fee is based on empirical cost estimates, as anticipated in the implementing regulation. See 88 FR 402, 500-501 (Jan. 4, 2023). Based on the results of the fiscal year 2022/2023 fee review, DHS based the fee on the activity costs for informing the public and management and oversight. DHS also recognizes the burden saved for H-1B filers through this registration system.

### **Q. Why does the final rule increase EB-5 program fees?**

A. The final rule increases EB-5 program fees consistent with the fees for other benefit requests. As explained in the final rule, the fee amounts indicated by the full cost recovery model for the immigrant investor forms are not capped or decreased below the estimated full cost recovery as with some other forms, and DHS believes that the requirements for financial wherewithal in the program are inconsistent with shifting the costs of the EB-5 program to be funded by the fees paid for other requests.

DHS has begun the fee study required by the EB-5 Reform and Integrity Act of 2022 to meet the additional fee guidelines and processing time requirements. The law requires DHS to set fees for EB-5 program-related immigration benefit requests at a level sufficient to recover the costs of providing such services and completing the adjudications within certain time frames.

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## Form Revisions and Deadlines

### **Q. How does the final fee rule affect USCIS forms?**

A. Please see the fee schedule table above to view a full list of the revised forms that will go into effect on April 1, 2024, along with the new fees. We will accept prior editions of most forms during a grace



period from April 1, 2024, through June 3, 2024. During this grace period, we will accept both previous and new editions of certain forms, filed with the correct fee.

There will be **no grace period** for the following new forms, however, because they must be revised with a new fee calculation. Filers should click the links below to access a preview version of each new form edition prior to the April 1, 2024, effective date:

- [Form I-129, Petition for a Nonimmigrant Worker](#);
- [Form I-129CW, Petition for a CNMI-Only Nonimmigrant Transitional Worker](#);
- [Form I-140, Immigrant Petition for Alien Workers](#);
- [Form I-600A, Application for Advance Processing of an Orphan Petition](#) (and Form I-600A/I-600 Supplements 1, 2, and 3); and
- [Form I-600, Petition to Classify Orphan as an Immediate Relative](#)

We will use the **postmark date** of a filing to determine which form version and fees are correct but will use the **received date** for purposes of any regulatory or statutory filing deadlines.

The fee rule edition of [Form N-400, Application for Naturalization](#), will incorporate a request for a reduced fee, eliminating the need to submit Form I-942, Request for Reduced Fee. If you are requesting a reduced fee using the new edition of the form, do not submit Form I-942. If you apply during the grace period and use the prior edition of Form N-400 and you wish to request a reduced fee, you will need to submit Form I-942.

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## Other Provisions

### **Q. Why does the final rule state that USCIS may require that certain fees be paid using a certain payment method or that certain fees cannot be paid using a particular method?**

A. This change will allow us to reduce administrative burdens and processing errors associated with certain fee payments. Lockboxes, which specialize in intaking and depositing multiple payment types, currently receive about 53% of all USCIS filings. However, the requirements and circumstances for some filing requests do not allow lockbox submission and intake, and such requests must be filed at a particular office or in person. Various offices, such as field offices, embassies, and consulates, are limited in the method of payment that they can receive or process. Additionally, certain payment methods, such as checks or cash, require time-intensive procedures for cashiers and their supervisors to input, reconcile, and verify their daily receipts and deposits. Generally, federal agency offices must deposit money that they receive on the same day that it is received. There are additional requirements and guidance for timely record keeping and redundancy in personnel that similarly increase workload and processing costs. The time that we currently comply with certain payment processing requirements could be used to adjudicate cases.

### **Q. Why does the final rule prohibit filers from getting their fees back by filing a dispute of their USCIS fee charges with their credit card company?**

A. The increased acceptance of credit card payments for USCIS fees has resulted in a sizeable increase in the number of disputes filed with credit card companies challenging USCIS' retention of the fee. Disputes are generally filed when the fee is due, but we denied the filer's request, they have changed their mind about the request, or they assert that the service was not provided or was





unreasonably delayed. Because credit card companies usually withdraw the fee in the case of disputes, abuse of the credit card dispute process could have negative fiscal effects on USCIS. Furthermore, though fees are generally nonrefundable, we have a process where a filer may request a fee refund in the very uncommon instance of a fee being paid or collected erroneously. Therefore, the final rule provides that fees paid to USCIS by credit card are not subject to a chargeback by the issuing financial institution and reinforces that credit card disputes cannot be used to circumvent the requirement to pay the correct fee for a benefit request.

**Q. Does the final rule consider USCIS' expansion of premium processing services?**

A. With this final rule, DHS has transferred \$129.8 million in costs to premium processing to account for future premium processing revenue projections. This comes after gathering additional information since the proposed rule and the Dec. 28, 2023, Adjustment to Premium Processing Fees final rule (88 FR 89539).

**Q. What happened to the 2020 fee rule?**

A. On Aug. 3, 2020, DHS published the 2020 final fee rule, with an effective date of Oct. 2, 2020, to adjust the USCIS fee schedule and make changes to certain other immigration benefit request requirements. On Sept. 29, 2020, the United States District Court for the Northern District of California granted a motion for a preliminary injunction of the 2020 fee rule in its entirety and stayed the final rule's effective date. On Oct. 8, 2020, the United States District Court for the District of Columbia also granted a motion for a preliminary injunction and stay of the effective date of the final rule.

DHS subsequently issued a notification on Jan. 29, 2021, to inform the public of the two preliminary injunctions. DHS continues to comply with the terms of those orders and is not enforcing the regulatory changes set out in the 2020 fee rule. We continue to accept the fees that were in place before Oct. 2, 2020, and to follow the guidance in place before Oct. 25, 2019, to adjudicate fee waiver requests.

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