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To:

Subject: USCIS Issues Final Rule to Adjust Certain Immigration and Naturalization Fees



U.S. Citizenship
and Immigration
Services

Public Engagement
Division



USCIS Issues Final Rule to Adjust Certain Immigration and Naturalization Fees

Today, we published a [final rule](#) to adjust certain immigration and naturalization benefit request fees for the first time since 2016.

Background

The final rule will allow us to recover our operating costs and support more 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.

The final rule is the result of a comprehensive fee review, as required by law, and follows the January 2023 publication of a notice of proposed rulemaking. The review concluded that the current fee

schedule falls far short in recovering the full cost of agency operations, including the necessary expansion of humanitarian programs, federally mandated pay raises, additional staffing requirements, and other essential investments.

New Fee Schedule

We encourage you to visit our [Frequently Asked Questions](#) page to view a full list of the revised forms that will go into effect on April 1, 2024, along with the new fees.

We received over 5,400 unique public comments in response to our January 2023 notice of proposed rulemaking. We considered comments and feedback received during the proposed rulemaking process. Acknowledging this feedback from stakeholders, the final fee rule includes several important updates since the initial rulemaking.

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

Core elements of the final rule include the following:

- For most individual filers, the newly established fees will not increase by more than 26%, which is equivalent to the increase in the Consumer Price Index since the last fee rule was issued in 2016;
- The final rule holds fee increases to a low level for naturalization and adoption applications;
- The final rule mitigates higher fees for employer filers with special discounts for nonprofits and small employers; and
- 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.

New Forms and Deadlines

The fee table at our [Frequently Asked Questions](#) page includes a full list of the revised USCIS 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 are encouraged to click the links below to access a preview version of each new form edition before the April 1, 2024, effective date:

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

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

Asylum Program Fee for Employment-based Immigrant and Nonimmigrant Visa Petitioners (Including H-1B Petitioners)

Employers should note that the final fee 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 a fee. In particular, H-1B petitioners who file the [Form I-129, Petition for a Nonimmigrant Worker](#), should note the next [H-1B cap season](#) also begins on April 1, 2024.

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 of the Asylum Program Fee, or \$300).

In addition, for the Form I-129 fee itself, nonprofits and small employers will pay a discounted fee of up to 50% less than the standard fee.

The H-1B registration fee during the March 2024 [H-1B registration period](#) will remain \$10, and the new \$215 registration fee under the new fee rule will not be charged to prospective employers until the March 2025 registration period.

Naturalization

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 naturalization for most applicants. Previously, the total cost included both an application fee (\$640) and a separate biometrics fee (\$85), for a total of \$725 for most applicants. Under the new fee rule, there is no longer a separate biometrics 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), thereby 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.

The new fee rule edition of [Form N-400, Application for Naturalization](#), will incorporate requests for a reduced fee, eliminating the need to submit Form I-942, Request for Reduced Fee. An applicant requesting a reduced fee who uses the new edition of the form should not submit Form I-942. If an applicant chooses to use the prior edition of Form N-400 during the 60-day grace period and wishes to request a reduced fee, they will need to submit Form I-942.

International Adoption

The new fee rule will change the validity period for a [Form I-600A](#) approval in an orphan case from 18 months to 15 months. Another key change is creating a USCIS form supplement (Supplement 3) that prospective adoptive parents can use for requests for action on approved suitability determinations for orphan cases (instead of prospective adoptive parents having to

draft their own letter). Both 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 a second extension, second change in country, and duplicate notice request.

Join Our Public Engagement to Learn More

[Register](#) for a USCIS-hosted public engagement on the new fee rule scheduled for Feb. 22, 2024, at 2 p.m. Eastern.

For more information on USCIS and our programs, please visit uscis.gov or follow us on [X \(formerly Twitter\)](#), [Instagram](#), [YouTube](#), [Facebook](#), and [LinkedIn](#).

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