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Frequently Asked Questions on the USCIS Fee Rule

On Jan. 31, 2024, USCIS published a [final rule](#) that, for the first time since 2016, adjusts certain immigration and naturalization benefit request fees. With the final rule, we can recover our operating costs more fully and support timely processing of new applications. Unlike many other federal agencies, we are almost entirely fee funded. About 96% of our funding is from filing fees, and only about 4% is from congressional appropriations.

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

We consolidated the questions and answers below from questions that stakeholders submitted through our national engagement and other channels. You can also view the [PowerPoint presentation \(PDF, 469.54 KB\)](#) from this national engagement.

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 the operational costs of adjudicating USCIS immigration and naturalization benefits in a timely way. 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 filing fees, not from 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. Congress also supported our refugee and asylum activities with appropriations of \$133 million in FY 2023 and \$145 million in FY 2024.

We will require continued congressional support to eliminate our current backlogs. We intend for the new fee rule to allow us to keep pace with incoming cases and prevent backlogs from growing.

We also continue to require congressional funding to sustainably and fully address the increased volume of cases associated with recent border crossers. This includes the need to hire additional USCIS personnel to better manage the number of cases we now receive.

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.

We lifted our hiring freeze 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 the 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 will the new fee schedule affect USCIS backlogs and processing times?

A. We recognize that when there are backlogs, people experience longer wait times to receive decisions. We understand the impact of such delays on those we serve, and emphasize that our core mission is to ensure the timely processing of immigration requests.

Fiscal year 2023 was the first year that we successfully [reduced our backlog](#) in more than a decade—a reduction of 15%. This progress occurred even as we experienced a record year in filings received—10.9 million during FY 2023, compared with a more typical level of 9 million receipts in FY 2022 and FY 2021. The backlog grew by 16% in FY 2022, which was slower growth than the two previous years—43% in FY 2021 and 26% in FY 2020.

The slower backlog growth rate in FY 2022 and decline in FY 2023 were driven by ongoing efforts to increase hiring and develop new efficiencies in case processing. Congress also supported this effort with \$275 million in appropriated funding in FY 2022.

The new fee schedule will allow USCIS to more fully recover our operating costs, reestablish and maintain timely case processing, support the development and implementation of tools that further increase our efficiency and improve the customer experience, and help prevent the accumulation of future case backlogs.

For more information, please see our [FY 2023 progress report](#) and [historical median processing times](#).

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 those filing requests—than the proposed rule. This 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.

The final fee rule is expected to 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 grow in the future.

Q. When was the last time USCIS increased fees?

A. We published our previous fee schedule in a [fee rule \(PDF\)](#) that went into effect more than 7 years ago, on Dec. 23, 2016.

Q. Why does USCIS need a “carryover” balance of cash reserves?

A. The Government Accountability Office acknowledges that fee-funded agencies may need to designate funds as operating reserves to weather periods when revenue collections are lower than costs. For federal entities such as USCIS that rely almost entirely on fee revenue, it is critical that they maintain a sufficient “carryover” balance of cash reserves, helping ensure that adequate funds are available to meet daily obligation and outlay requirements. Historically, for example, our fee revenue in the first quarter of the fiscal year is low due to seasonal filing patterns and expenses are higher due to contract year startups. Therefore, carryover funds are necessary to pay federal salaries, maintain expenses, and award certain contracts during periods of cash flow deficits. DHS FMPM Section 2.12, Fee Review and Guidance, requires USCIS to have a carryover balance at the end of each fiscal year to meet the forecast expenses for the first three months of the fiscal year.

For more on the importance of maintaining a healthy carryover balance, please our [FY 2022 Progress Report \(PDF, 1.08 MB\)](#), in particular Section IV, “From Fiscal Crisis to Fiscal Responsibility.”

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 with special discounts for nonprofits and small employers.
- The final fee rule codifies existing fee waiver eligibility for low-income and vulnerable populations; expands fee exemptions for certain humanitarian and other beneficiaries; and expands the reduced fee option for certain individuals who apply for naturalization.
- There will be a \$50 discount for most who file forms online instead of by paper mailing, when an online filing option is available.

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

A. We published a Notice of Proposed Rulemaking in January 2023 and received more than 5,400 unique public comments in response. Acknowledging this feedback from stakeholders, the final fee rule includes several important changes from the proposed rule.

Every fee in the final rule is either the same or lower than in the proposed rule.

In the final rule, we made the following changes from the proposed rule:

- Lowered our required annual cost recovery by \$727 million, in part by considering the budget effects of improved efficiency measures;
- Implemented a standard \$50 discount for online filers;
- Provided special fee discounts for nonprofits and small employers;

- Allowed half-price (\$260) Employment Authorization Document applications for adjustment of status applicants and a reduced fee (\$950) for adjustment of status applicants under the age of 14 in certain conditions;
- Expanded eligibility for reduced-fee naturalization applications (\$380) for individuals who demonstrate household income between 150% and 400% of the Federal Poverty Guidelines;
- Expanded fee exemptions for certain USCIS adoption-related processes, including a second extension, a second change in country, a duplicate approval notice request, and Certificates of Citizenship and Naturalization; and
- Expanded fee exemptions for Special Immigrant Juveniles self-petitioners; victims of human trafficking (T visa) and certain criminal activity (U visa), and domestic violence (self-petitioners under the Violence Against Women Act); U.S. military service members and our Afghan allies; and families pursuing intercountry adoption,

Q. What additional changes are in the final rule?

A. We also kept the following changes from the proposed rule. Specifically, the final rule:

- Incorporates biometric services costs into the main benefit fee and eliminates a 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 final rule establishes a separate biometric services fee of \$30 instead of the \$85 pre-4/1/2024 fee);
- Eliminates the \$30 returned check fee;
- Requires separate filing fees for Form I-485 (adjustment of status), Form I-131 (travel document), and Form I-765 (employment authorization), including when the forms are filed together;
- Establishes separate fees for Form I-129, Petition for a Nonimmigrant Worker, by nonimmigrant classification;
- Limits the number of named beneficiaries on certain petitions for nonimmigrant workers to 25;
- Revises the premium processing timeframe calculation from calendar days to business days;
- Clarifies that we will not redeposit checks that are dishonored as unpayable for a reason other than insufficient funds (such as stop payment or closed account);
- States that fees paid with a credit card are not subject to dispute, chargeback, forced refund, or return to the cardholder for any reason except at our discretion;
- Revises 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;
- Provides fee exemptions for adoptees filing applications for a Certificate of Citizenship and naturalization based on adoption;
- Revises regulations related to genealogy searches, reducing fees for genealogy online requests as well as providing copies of records that are digitized with the index search to help with our backlog reduction efforts; and
- Establishes a fee for Form G-1566, Request for Certificate of Non-Existence.

Form Revisions and Deadlines



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

A. Please see the fee schedule table below to view a full list of the revised forms that go into effect when the new fees take effect on April 1, 2024. 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 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](#) (and Form I-600A/I-600 Supplements 1, 2, and 3).

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 submit Form I-942.

Q. If forms are postmarked by March 31, 2024, will the current (pre-April 1) USCIS fees apply, even if USCIS does not receive the forms before April 1, 2024?

A. The correct fee and form version is based on the postmark date of the filing, not the date that we receive it. Forms with a postmark date of March 31, 2024, or earlier must be submitted with the current (pre-April 1) fees. Forms with a postmark date of April 1, 2024, or later must be submitted with the fee implemented by the new fee rule and listed on the Fee Schedule, [Form G-1055](#). We encourage you to use the [online filing option](#) when it is available.

Q. Can you explain how your lockbox staff use the postmark for commercial couriers such as FedEx and UPS?

A. Our lockbox facilities accept courier deliveries from UPS, FedEx, and DHL. For commercial couriers, the postmark date is the date on the shipping label. If there is no shipping date on the label, we consider the date you printed the label to be the postmark date. If the label does not have a shipping date or a print date, we will consider the postmark date to be 10 days before we received the package at the lockbox.

Q. When will USCIS release the new forms?

A. On March 1, 2024, we published the OMB-approved preview version of the 04/01/24 version of [Forms I-129, I-129CW, I-140](#), and [I-600/I-600A/Supplements](#) on each form's landing page. For all other forms, we will publish the 04/01/24 version on April 1, 2024, and we will allow prior editions during a grace period from April 1 to June 3, 2024. For Forms I-129, I-129CW, I-140, and I-600/I-600A/Supplements, there will be no grace period because we are changing the forms for fee calculation.

Q. Will you release a new edition of the USCIS Pre-Order Instructions (for those filing USCIS forms for adjudication in court) to reflect the change in the biometrics fee?

A. Yes. We are striving to update our many pages of internal and public guidance for every applicable area to reflect the changes in the 2024 fee rule before they take effect on April 1. A new edition of the USCIS Pre-Order Instructions is on our [Immigration Benefits in EOIR Removal Proceedings](#) page.

Q. What happens to online filers after April 1, 2024?

A. If you have already submitted a benefit request either online or in paper form, the fee rule does not affect that pending request and you need to take no further action.

We provided new versions of forms on April 1, 2024, and so now you cannot submit older versions of forms.

On April 1, 2024, we deleted any drafts of [Form N-400, Application for Naturalization](#), in progress, and you will have to restart the Form N-400 application. We had to do this because Form N-400 is the only form currently available for online filing for which the online version did not have a grace period when the new form version was required starting April 1. We notified users in their myUSCIS accounts that such drafts would be deleted and they would need to start a new application on April 1.

For all other forms, however, we updated drafts in progress on April 1 with the new version of the respective form.

Fees Schedule and Fee Increases

**Q. Where can I find the latest information about fees?**

A. We will no longer include information about fees in the instructions of our forms. You can see a comprehensive list of fees by viewing, Fee Schedule, [Form G-1055](#).

In addition, our online [fee calculator](#) is available to determine the current fee for any [form processed at a USCIS lockbox](#) facility (which is the great majority of our forms).

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

A. DHS is authorized under statute to recover the full costs of providing USCIS services, including the costs of services provided without charge to asylum applicants and other noncitizens. In other words, we are permitted to collect fees that 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 our costs to adjudicate fee-exempt, fee-reduced, and fee-waived cases.

In addition, the 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 covers 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 many 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 (these petitioners will pay half-price, or a \$300 Asylum Program Fee).

In addition, for the fees for Form I-129 and Form I-129CW, 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 \$215 H-1B registration fee under the new fee rule is based on empirical cost estimates, as anticipated in the implementing regulation. See [88 FR 402](#), 500-501 (Jan. 4, 2023). Using 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.

Please note that 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.

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 \(PDF\)](#) 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.

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%
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%

Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
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%
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%

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)	\$460	\$1,015	\$510	\$50	11%
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 Documents, Parole Documents, and Arrival/Departure Records	\$575	\$630	\$630	\$55	10%
I-131 Application for Travel Documents, Parole Documents, and Arrival/Departure Records (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%

Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
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%
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%

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	\$1,140	\$1,540	\$1,440	\$300	26%
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%
I-694 Notice of Appeal of Decision	\$890	\$1,155	\$1,125	\$235	26%

Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
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	
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%
I-829 Petition by Investor to Remove Conditions (with biometric services)	\$3,835	\$9,525	\$9,525	\$5,690	148%

Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
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%
I-941 Application for Entrepreneur Parole (with biometric services)	\$1,285	\$1,200	\$1,200	-\$85	-7%

Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
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%
N-400 Application for Naturalization (paper filing) (with biometric services)	\$725	\$760	\$760	\$35	5%

Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
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%
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%

Type of Filing	Current Fee(s)	NPRM Fee(s)	Final Fee(s)	Current vs. Final Fees	
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



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

A. Fee waiver eligibility is based on an inability to pay, and fee waivers are 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.

You can find a complete list of forms eligible for fee waiver requests in the section below under “Fee Exemptions and Fee Waivers Chart.”

Q. Where can I find the 2024 Federal Poverty Guidelines?

A. The [2024 guidelines](#) are available online, and the U.S. Department of Health and Human Services updates them annually. We will no longer publish the guidelines in Form I-912P or Form I-942P. However, we have created a new page for [Poverty Guidelines](#) with the information about the percentages of household income relevant for fee waivers and fee reductions.

Q. Is there a way to request a fee waiver while filing online?

A. On Oct. 8, 2024, we launched a PDF filing option that lets [certain applicants](#) upload and file a completed Form I-912, Request for Fee Waiver, along with certain accompanying forms. See the [Form I-912](#) page for details.

Alternatively, you may still mail a paper version of Form I-912 with the form you are requesting a fee waiver for.

Q. I am applying for a (c)(9) Pending Adjustment of Status category of Form I-765 that is fee exempted. Should I submit my application through the PDF filing option?

A. On Oct. 8, 2024, we launched a PDF filing option allowing certain [eligible applicants](#) to upload and file a completed Form I-912, Request for Fee Waiver, with a completed Form I-765, Application for Employment, through a USCIS online account. If you are applying for a (c)(9) Pending Adjustment of Status category of Form I-765 that is [fee exempted](#), you should not submit your application through the PDF filing option at this time. If you file an I-765 for the (c)(9) category via the PDF filing option, you must pay a fee or submit a request for a fee waiver. See our [Stakeholder Message](#) for more information.

Q. If someone requests a fee waiver using an older version of [Form I-912, Request for Fee Waiver](#), will USCIS still adjudicate the request and, if so, under which fee waiver rules? For example, will USCIS still apply the new rules regarding means-tested benefits received by family members?

A. Yes, we accept the current or older versions of Form I-912, but we apply the new fee waiver rules to all filings postmarked on or after April 1, 2024, regardless of whether the filing includes an older version of Form I-912 that reflects the former rules.

Q. If USCIS rejects a fee waiver request, and the application is resubmitted with the fee payment, will the receipt date be the date of the fee waiver submission or the date of the fee payment?

A. We will not backdate the receipt date. The received date will be the received date of resubmission.

Q. What is the difference between a "fee waiver" and a "fee exemption"?

A. We grant a "fee waiver" for certain forms when the filer demonstrates their inability to pay based on receipt of a means-tested benefit, household income at or below 150% of the [Federal Poverty Guidelines](#), or extreme financial hardship. When we create a "fee exemption" for particular forms or filers, the form is automatically free, and the filer does not need to individually demonstrate an inability to pay.

Fee Exemptions

Q. How does the fee rule expand fee exemptions?

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

In addition, the final rule provides new fee exemptions for certain immigration benefit requests, including:

- All forms associated with an application for T nonimmigrant status through final adjudication of the Form I-485, the application for adjustment of status to lawful permanent resident;
- All forms associated with a petition for U nonimmigrant status, including the filing of a Form I-485;
- All forms associated with a self-petition under the Violence Against Women Act (Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant) through final adjudication of the adjustment of status application;
- Conditional permanent residents seeking a waiver of the Form I-751, Petition to Remove Conditions on Residence, 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 most forms filed through final adjudication for adjustment of status to legal permanent resident, including Form I-765 and 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 most 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 Documents, Parole Documents, and Arrival/Departure Records](#), for persons admitted or paroled as refugees, including legal permanent residents who obtained such status as refugees in the United States; 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, as well as in the section below under “Fee Exemptions and Fee Waivers Chart.”

Q. Are there any special forms or eligibility requirements to file for fee exemptions?

A. No. Fee exemptions do not require a separate form or eligibility criteria, although we may require evidence for the fee exemption. We identify a fee exemption by the category or basis of filing identified in the form. Do not submit a fee when the form is fee exempt.

Q. For humanitarian applications that are fee-exempt, do we need to file Form I-912, Request for Fee Waiver?

A. No. You do not need to file Form I-912 with applications that are fee-exempt.

Q. If someone includes a fee for something that should be fee-exempt, will the fee be returned?

A. Do not submit a fee when filing for a fee-exempt category. We may intake the fee and not return the fee if you submit a fee with a fee-exempt form.

Q. How much did USCIS have to increase other fees to provide the new fee exemptions in the final rule?

A. In the final rule, we forecasted that, as a general matter, the revenue represented by the new fee exemptions is about 3% of the total forecasted revenue. Fee-exempt services have no effect on those fees that are capped at a certain amount in the final rule.

Q. Is there a fee exemption for Form I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Document, for VAWA petitioners, T nonimmigrants, or other protection-based filers?

A. No, the fee exemptions for Form I-102 only apply to certain military-related applicants and those seeking a replacement due to DHS error. However, self-petitioners under the Violence Against Women Act (VAWA), people seeking T nonimmigrant status, and those filing under other humanitarian and protection-based categories may request a fee waiver for Form I-102, as with any other fees associated with their humanitarian or protection-based status. They may also visit the [Customs and Border Patrol website](#) to obtain a paper version of an electronic Form I-94.

Q. The instructions for [Form I-912, Request for Fee Waiver](#), imply that [Form I-485, Application to Register Permanent Residence or Adjust Status](#), would not be fee exempt for those adjusting status under VAWA or as a T or U nonimmigrant. Is that correct?

A. No. As discussed further below, Form I-485 is fee exempt for applicants seeking to adjust status as VAWA self-petitioners and for those applying under INA 245(l) (T nonimmigrants) or INA 245(m) (U nonimmigrants).

Q. Do the humanitarian fee exemptions for Form I-131, listed at 8 CFR 106.2(a)(7) and 106.3(b), apply if a person in a qualifying category files Form I-131 on behalf of someone else? For example, if a U-1 nonimmigrant petitioner files Form I-131 on behalf of a family member, does the fee exemption at 8 CFR 106.3(b)(5)(i) apply?

A. If you file Form I-131 for someone else, the fee exemptions at 8 CFR 106.2(a)(7) and 106.3(b) apply only if the person you are filing for belongs to one of the fee-exempt categories listed.

For example, if you hold or are seeking U-1 nonimmigrant status and you file Form I-131 for a family member, the fee exemption at 8 CFR 106.3(b)(5)(i) would only apply if you also filed Form I-918, Supplement A, Petition for Qualifying Family Member of U-1 Recipient, or Form I-929, Petition for Qualifying Family Member of a U-1 Nonimmigrant, for the derivative family member, or if the family member otherwise possesses or seeks U nonimmigrant status or seeks adjustment of status under INA 245(m).

To request a fee exemption for Form I-131 in this situation, please include a copy of the receipt notice or other evidence you filed the relevant form (for example, Form I-918A or Form I-929) for the derivative family member for whom you are also filing Form I-131, or other evidence that the family member falls into one of the categories listed at 8 CFR 106.2(a)(7) or 106.3(b).

Otherwise, if you are filing Form I-131 for someone else, you may be eligible to request a fee waiver by submitting [Form I-912, Request for Fee Waiver](#), or a written request for a fee waiver.

If we have denied Form I-131 that you filed for another person, and you file Form I-290B, Notice of Appeal or Motion, appealing or asking us to reopen or reconsider the decision, Form I-290B is fee-exempt if the underlying Form I-131 was fee-exempt as outlined above.

Fee Exemptions and Fee Waivers Chart



Forms Eligible for Fee Waiver Requests and Fee Exemptions Effective April 1, 2024

Category	Fee Exemptions	Fee Waiver Request Eligibility
Victims of severe form of trafficking (T nonimmigrants)	<ul style="list-style-type: none"> • Form I-914 • Form I-914, Supplement A • Form I-914, Supplement B • Form I-131 • Form I-192 • Form I-193 • Form I-290B (only if filed for any benefit request filed before adjusting status or for Form I-485 and associated ancillary forms) • Form I-485 • Form I-539 • Form I-601 • Form I-765 (initial, renewal and replacement requests) • Form I-824 	<ul style="list-style-type: none"> • Form I-90 • Form I-290B • Form N-300 • Form N-336 • Form N-400 • Form N-470 • Form N-565 • Form N-600 • Form N-600K

Category	Fee Exemptions	Fee Waiver Request Eligibility
Victims of qualifying criminal activity (U nonimmigrants)	<ul style="list-style-type: none">• Form I-131• Form I-918• Form I-918, Supplement A• Form I-918, Supplement B• Form I-192• Form I-193• Form I-290B (only if filed for any benefit request filed before adjusting status or for Form I-485 and associated ancillary forms)• Form I-485• Form I-601• Form I-539 (only if filed before Form I-485 is filed)• Form I-765 (initial, renewal, and replacement request)• Form I-929• Form I-824	<ul style="list-style-type: none">• Form I-90• Form N-300• Form N-336• Form I-290B• Form N-400• Form N-470• Form N-565• Form N-600• Form N-600K

Category	Fee Exemptions	Fee Waiver Request Eligibility
VAWA Form I-360 self-petitioners and derivatives	<ul style="list-style-type: none"> • Form I-360 • Form I-131 • Form I-212 • Form I-290B (only if filed for any benefit request filed before adjustment status or for Form I-485 and associated ancillary forms) • Form I-485 • Form I-601 • Form I-601A • Form I-765(initial, renewal, and replacement request) (8 CFR 274a.12(c)(9), 8 CFR 274a.12 (c)(14), and (c)(31) for principals and derivatives) • Form I-824 	<ul style="list-style-type: none"> • Form I-90 • Form I-290B • Form N-300 • Form N-336 • Form N-400 • Form N-470 • Form N-565 • Form N-600 • Form N-600K
CPRs filing a waiver of the joint-filing requirement based on battery or extreme cruelty	<ul style="list-style-type: none"> • Form I-290B (only when filed for Form I-751) • Form I-751 	<ul style="list-style-type: none"> • Form I-90 • Form I-290B • Form N-300 • Form N-336 • Form N-400 • Form N-470 • Form N-565 • Form N-600 • Form N-600K

Category	Fee Exemptions	Fee Waiver Request Eligibility
Abused spouses and children adjusting status under CAA and HRIFA	<ul style="list-style-type: none"> • Form I-131 • Form I-212 • Form I-290B (only if filed for any benefit request filed before adjusting status or for Form I-485 and associated ancillary forms) • Form I-485 • Form I-601 • Form I-765(initial, renewal, and replacement request) • Form I-824 	<ul style="list-style-type: none"> • Form I-90 • Form I-290B • Form N-300 • Form N-336 • Form N-400 • Form N-470 • Form N-565 • Form N-600 • Form N-600K
Abused spouses and children seeking benefits under NACARA	<ul style="list-style-type: none"> • Form I-765 (initial, renewal, and replacement request) (submitted under 8 CFR 274a.12(c)(10)) • Form I-881 • Form I-601 • Form I-824 	<ul style="list-style-type: none"> • Form I-90 • Form N-300 • Form N-336 • Form N-400 • Form N-470 • Form N-565 • Form N-600 • Form N-600K
Abused spouses and children of LPRs or U.S. citizens under INA sec. 240A(b)(2)	<ul style="list-style-type: none"> • Form I-765 (initial, renewal, and replacement request) (8 CFR 274a.12(c)(10)) • Form I-824 	<ul style="list-style-type: none"> • Form I-90 • Form N-300 • Form N-336 • Form N-400 • Form N-470 • Form N-565 • Form N-600 • Form N-600K

Category	Fee Exemptions	Fee Waiver Request Eligibility
Abused Spouses of A, E-3, G, and H Nonimmigrants	<ul style="list-style-type: none"> Form I-765V 	<ul style="list-style-type: none"> Form I-290B
Special Immigrant Afghan or Iraqi translators or interpreters, Iraqi nationals employed by or on behalf of the U.S. Government, or Afghan nationals employed by or on behalf of the U.S. government or employed by the ISAF and their derivative beneficiaries	<ul style="list-style-type: none"> Form I-131 Form I-212 Form I-290B (only if filed for any benefit request filed before adjusting status or for Form I-485 and associated ancillary forms) Form I-360 Form I-485 Form I-765 (initial, renewal, and replacement request) Form I-601 Form I-824 	<ul style="list-style-type: none"> Form I-90 Form I-290B Form N-300 Form N-336 Form N-400 Form N-470 Form N-565 Form N-600 Form N-600K
SIJs	<ul style="list-style-type: none"> Form I-131 Form I-290B (only if filed for any benefit request filed before adjusting status or for Form I-485 and associated ancillary forms) Form I-360 Form I-485 Form I-601 Form I-601A Form I-765 (initial, renewal, and replacement request) Form I-824 	<ul style="list-style-type: none"> Form I-90 Form I-290B Form N-300 Form N-336 Form N-400 Form N-470 Form N-565 Form N-600 Form N-600K

Category	Fee Exemptions	Fee Waiver Request Eligibility
TPS	<ul style="list-style-type: none"> Form I-821 (only re-registration) 	<ul style="list-style-type: none"> Biometrics Fee Form I-131 Form I-290B Form I-601 Form I-765 Form I-821
Asylees	<ul style="list-style-type: none"> Form I-131 (Only if an asylee applying for a Refugee Travel Document or advance parole filed Form I-485 on or after July 30, 2007, paid the Form I-485 application fee required, and Form I-485 is still pending.) Form I-589 Form I-602 Form I-730 Form I-765 (initial request by asylees and initial request by asylum applicants with a pending Form I-589) 	<ul style="list-style-type: none"> Form I-90 Form I-290B Form I-485 Form I-765 (renewal request) Form N-300 Form N-336 Form N-400 Form N-470 Form N-565 Form N-600 Form N-600K
Refugees	<ul style="list-style-type: none"> Form I-131 Form I-131A Form I-485 Form I-590 Form I-602 Form I-730 Form I-765 (initial, renewal, and replacement request) 	<ul style="list-style-type: none"> Form I-90 Form I-290B Form N-300 Form N-336 Form N-400 Form N-470 Form N-565 Form N-600 Form N-600K

Category	Fee Exemptions	Fee Waiver Request Eligibility
Current and former U.S. armed forces service members, including persons who served honorably on active duty in the U.S. armed forces filing under INA sec. 101(a)(27)(K)	<ul style="list-style-type: none"> • Form I-131 • Form I-360 • Form I-485 • Form I-765 (initial, renewal, and replacement request for service member) • Form N-336 (if eligible for naturalization under INA 328 or INA 329) • Form N-400 (if eligible for naturalization under INA 328 or INA 329) • Form N-600 	<ul style="list-style-type: none"> • Form I-90 • Form N-300 • Form N-470 • Form N-565 • Form N-600K

Reduced Fees



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

A. Under the final fee rule:

- There will be a \$50 discount for the forms that may be filed online with USCIS, except in limited circumstances, such as when the form fee is already provided at a substantial discount or the law prohibits us from charging a full cost recovery level fee.
- There will be no separate biometric services fee for most applicants.
- Individuals seeking adjustment of status will pay \$260, which is 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 if the Form I-485 is filed on or after April 1, 2024, and while it remains pending.
- Nonprofits and small employers (25 or fewer full-time equivalent employees) filing [Form I-129, Petition for a Nonimmigrant Worker](#), 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).
- Naturalization applicants filing Form N-400 who have incomes between 150% and 400% of the [Federal Poverty Guidelines](#) will pay \$380, which is half the full fee. Previous regulations provided the half-price fee for N-400 applicants whose incomes were between 150% and 200% of the Federal Poverty Guidelines.

Q. What fee reductions and exemptions are available for nonprofits and institutions of higher education?

A. Nonprofit petitioners (including institutions of higher education) qualify for a reduced fee for Forms I-129 and I-129CW, and do not need to pay the Asylum Program fee for those forms or Form I-140. For further discussion, see “Employment-Based Forms and Fees” below.

Online Filing Discounts

Q. Which forms are available for online filing?

A. See [Forms Available to File Online](#) for a complete list.

Q. Why is there a \$50 discount for filing forms online instead of filing them by mail?

A. We encourage online filing—when available—for a more efficient electronic submission and adjudication process. It requires significant operational resources to intake, store, and handle paper submissions. Also, information recorded on paper cannot be effectively standardized for data entry. Every 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 forms become available for online filing and case management.

Q. Which forms currently available to file online will *not* get an online discount?

A. Although the \$50 discount applies to most forms filed online with USCIS, there are limited circumstances where it does not apply, such as when the form fee is already provided at a substantial discount, or the law prohibits USCIS from charging a full cost recovery level fee.

Such online forms that will *not* receive the online filing discount include:

- Form I-765, Application for Employment Authorization (only for applicants who filed Form I-485 with a fee after April 1, 2024, and the I-485 remains pending);
- Form I-821, Application for Temporary Protected Status;
- Form I-821D, Consideration of Deferred Action for Childhood Arrivals;
- Form I-907, Request for Premium Processing Service; and
- H-1B Registration Fee.

Q. As additional forms become available for online filing, will they also receive the online filing discount?

A. In general, yes. However, certain forms will *not* receive the online filing discount when they become available for online filing, such as when the form fee is already provided at a substantial discount. Such future online forms include:

- Form I-129, Petition for a Nonimmigrant Worker (only when filed for an H-1B worker by a small employer or nonprofit that already receives a discounted fee);
- Form I-129CW, Petition for a CNMI-Only Nonimmigrant Transitional Worker (only when filed by a nonprofit or small employer that already receives a discounted fee);
- Form I-131, Application for Travel Documents, Parole Documents, and Arrival/Departure Records (only when requesting a Refugee Travel Document);

- Form I-192, Application for Advance Permission to Enter as a Nonimmigrant (when filed online with U.S. Customs and Border Patrol (CBP));
- Form I-193, Application for Waiver of Passport and/or Visa (when filed online with CBP);
- Form I-212, Application for Permission to Reapply for Admission into the United States After Deportation or Removal (when filed online with CBP);
- Form N-400, Application for Naturalization (when requesting a reduced fee due to household income at or below 400% of the Federal Poverty Guidelines).

Q. Does the online filing discount apply to other fees besides form fees?

A. No. The online filing discount applies only to fees for forms. It does not apply to additional fees associated with certain benefit requests, such as the Asylum Program Fee, American Competitiveness and Workforce Improvement Act fees, fraud detection and prevention fees (for H-1B, H-2B, L, and CW-1 petitions), or premium processing fees.

Q. Can I file concurrently when one form is available to file online but the other form can only be filed on paper?

A. For now, no. For example, if you wish to concurrently file Form I-130 (which is currently available for online filing) along with Form I-485 (which is currently only available for paper filing), then you must file both forms on paper. If you choose to file Form I-130 online, then , you must wait to receive a receipt notice (Form I-797) to obtain the \$50 online filing discount You must then include the receipt notice when you file Form I-485.

Payments

**Q. If separate fees are required when I file multiple forms together, may I pay with one check?**

A. No. We are transitioning to electronically processing immigration benefit requests, which requires us to use multiple systems to process multi-form submissions. We may reject your entire package if you submit a single, combined payment for multiple forms.

Q. In general, when filing one form that includes multiple fees (for example, Form I-129 for an H-1B, H-2A, or H-2B nonimmigrant), are multiple payments required?

A. For online filings, you must pay all the fees associated with one form submission simultaneously.

For filing by mail and paying by check or money order, we recommend submitting each related payment separately, because doing so provides more flexibility for addressing fee issues.

All payments within a submission must be the same type—check, money order, or credit card—because the Lockbox cannot process filings containing different payment types.

Q. Can USCIS increase credit card limits when the new fees go into effect?

A. There is a daily transaction limit of \$24,999.99 per credit card, set by the Department of the Treasury.

For the fiscal year 2025 [H-1B cap filing season](#), however, the Department of the Treasury has given USCIS an exemption to the \$24,999.99 limit in order to provide a limit of up to \$99,999.99 for H-1B registrations and petitions submitted online using one credit card. This waiver does not apply to other filings.

We can no longer accept credit card payments for Form I-956 and Form I-956F because the fee for these forms exceeds the daily transaction limit.

Q. Can attorneys or accredited representatives who file forms through their online account pay the associated fees online?

A. Yes. Once the form is signed, you can submit the form and the fee payment using an organizational account as a legal representative. See the [“Demonstration of Organizational Accounts for Legal Representatives”](#) video on [our YouTube channel](#) or our [Organizational Accounts FAQ](#) for more information.

Q. How can I make sure that my filing is not rejected at intake for incorrect fees?

A. At intake, we determine whether the payment you submitted matches the correct fees due. If you do not submit the correct fee, we must reject your form, even if you have submitted an overpayment. Please see our [Filing Fees page](#) for more details.

If you are submitting one of the following forms, the required fees depend on how you answer the form’s questions about your status as a nonprofit or small employer.

Form I-129, Petition for a Nonimmigrant Worker:

Part 1, Question 6 asks “Are you a nonprofit organized as tax exempt or a governmental research organization?” If you answer “Yes,” then you must submit the proper payment for a nonprofit, and not for a small employer. To determine whether you qualify as a nonprofit, please refer to page 7 of the [Form I-129 Instructions \(PDF, 549.11 KB\)](#).

Part 5, Question 15 asks “Do you currently employ a total of 25 or fewer full-time equivalent employees in the United States including all affiliates or subsidiaries of this company/organization?” If you answer “Yes,” then you must submit the proper payment for a small employer (unless you checked “Yes” in Part 1, Question 6 for nonprofits, as described above).

In addition, Part 5, Question 14 asks for your “Current Number of Employees in the United States.” If you check “Yes” to Part 5, Question 15, and you answer Question 14 with a number greater than 25, then your supporting documentation should demonstrate how you calculated the number of full-time equivalent employees as 25 or fewer. If we cannot determine the number of full-time equivalent employees, we may reject your petition.

Form I-129CW, Petition for a CNMI-Only Nonimmigrant Transitional Worker:

Part 1, Question 8 asks “Are you a nonprofit organized as tax exempt or a governmental research organization?” If you answer “Yes,” then you must submit the proper payment for a nonprofit, and not for a small employer. To determine whether you qualify as a nonprofit, please refer to page 3 of the [Form I-129CW Instructions \(PDF, 341.38 KB\)](#).

Part 5, Question 14 asks “Do you currently employ a total of 25 or fewer full-time equivalent employees in the United States including all affiliates or subsidiaries of this company/organization?” If you answer “Yes,” then you must submit the proper payment for a small employer (unless you checked “Yes” in Part 1, Question 8 for nonprofits, as described above).

In addition, Part 5, Question 13 asks for your “Current Number of Employees in the United States.” If you check “Yes” to Part 5, Question 14, and you answer Question 13 with a number greater than 25, then your supporting documentation should demonstrate how you calculated the number of full-time equivalent employees as 25 or fewer. If we cannot determine the number of full-time equivalent employees, we may reject your petition.

Form I-140, Immigrant Petition for Alien Workers:

Part 1, Question 5 asks “Are you a nonprofit organized as tax exempt or a governmental research organization?” If you answer “Yes,” then you must submit the proper payment for a nonprofit, and not for a small employer. To determine whether you qualify as a nonprofit, please refer to page 3 of the [Form I-140 Instructions \(PDF, 398.68 KB\)](#).

Part 1, Question 6 asks “Do you currently employ a total of 25 or fewer full-time equivalent employees in the United States including all affiliates or subsidiaries of this company/organization?” If you answer “Yes,” then you must submit the proper payment for a small employer (unless you checked “Yes” in Part 1, Question 5 for nonprofits, as described above).

In addition, Part 5, Question 4 asks for your “Current Number of U.S. Employees.” If you check “Yes” to Part 1, Question 6, and you answer Part 5, Question 4 with a number greater than 25, then your supporting documentation should demonstrate how you calculated the number of full-time equivalent employees as 25 or fewer. If we cannot determine the number of full-time equivalent employees, we may reject your petition.

Employment-Based Forms and Fees



Asylum Program Fee

Q. What is the Asylum Program Fee and who pays it?

A. The Asylum Program Fee (\$600) is a separate fee paid by employers who 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 Worker. It is not included in the changes in the filing fees for those individual forms, and it does not replace other fees such as the American Competitiveness and Workforce Improvement Act fee. The Asylum Program Fee helps fund the asylum program while mitigating the scope of fee increases for other benefit requests. The fee rule includes special discounts for nonprofits and small employers, as described further below.

All the work at USCIS is connected—when we have a more fully funded corps of asylum officers, our non-asylum officers can concentrate more exclusively on adjudicating cases from employers and other filers, bringing down processing times for everyone.

Q. How do I pay the Asylum Program Fee? Is there a separate form or paperwork?

A. Payment of the Asylum Program Fee does not require a separate form or paperwork. If you file by mail and pay by check or money order, you should submit the Asylum Program Fee separately. If you file online, or file by mail and pay by credit, debit, or prepaid card, you may submit one payment for all fees, including the Asylum Program fee.

Q. Do I need to pay the Asylum Program Fee for each Form I-129 for the same employee (extensions, amendments, etc.)?

A. In general, yes, you must pay the Asylum Program Fee for each Form I-129 filed, including for initial grants, extensions, and changes of employer. As discussed further below, small employers pay a reduced Asylum Program Fee, and nonprofits do not pay the fee.

Q: May a beneficiary pay the Asylum Program Fee, or must it be the petitioner who pays?

A. The new fee rule does not change existing limitations on beneficiaries paying for certain petitioner-related expenses in the filing of a petition, including limitations under U.S. Department of Labor regulations and guidelines.

For examples, see 8 CFR 214.2(h)(5)(xi)(A), 8 CFR 214.2(h)(5)(xi)(C), 8 CFR 214.2(h)(6)(i)(B), 8 CFR 214.2(h)(6)(i)(C), and 8 CFR 214.2(h)(6)(i)(D).

For Department of Labor information, see 20 CFR 655.135(j) (H-2A), 20 CFR 655.20(o) (H-2B), and Department of Labor [Fact Sheet #78D: Deductions and prohibited fees under the H-2B Program](#) and [Fact Sheet #26: Section H-2A of the Immigration and Nationality Act \(INA\)](#).

Q. Do self-petitioners also pay the Asylum Program Fee, and, if so, do they pay the full amount of \$600?

A. An individual self-petitioner would pay the reduced Asylum Program Fee of \$300 when filing Form I-140 as an EB-1A noncitizen of extraordinary ability or as an EB-2 with national interest waiver. On Form I-140, such self-petitioners must select Yes in Part 1, Question 6, to indicate that they currently employ a total of 25 or fewer full-time equivalent employees.

When an individual beneficiary of a Form I-129 or Form I-140 petition is a part or sole owner of the petitioning entity, then the Asylum Program Fee depends on the petitioning entity's number of employees and nonprofit status, as is the case for any petitioning entity or individual.

On Form I-140, select Yes in Part 1, Question 6, if you currently employ a total of 25 or fewer full-time employees. Select Yes in Part 1, Question 5, if you are a nonprofit organization.

On Form I-129, select Yes in Part 5, Question 15, if you currently employ a total of 25 or fewer full-time employees. Select Yes in Part 1, Question 6, if you are a nonprofit organization.

Q. How does the Asylum Program Fee apply when submitting multiple petitions due to the limit of 25 named beneficiaries on each petition?

A. The petitioning employer must pay the appropriate Asylum Program Fee for each Form I-129 filed, unless they qualify for the nonprofit exemption discussed further below.

Q. When the O-1 petitioner is an agent, not an employer, is the agent still subject to the Asylum Program Fee?

A. Yes, O-1 petitions filed by agents still require the Asylum Program fee.

Discounts for Small Employers

Q. What are the fee discounts for small employers?

A. The fee rule defines small employer petitioners as those with 25 or fewer full-time equivalent employees. Such petitioners will pay \$300 rather than the full \$600 for the Asylum Program Fee.

In addition, for the fees for Form I-129 and Form I-129CW, small employers will pay a discounted fee of up to 50% off. For the precise discounted fees, please see the full fee schedule, [Form G-1055](#).

On Form I-140, select Yes in Part 1, Question 6, if you currently employ 25 or fewer full-time equivalent employees.

On Form I-129, select Yes in Part 5, Question 15, if you currently employ 25 or fewer full-time equivalent employees (or Part 5, Question 14 on Form I-129CW).

Q. How will companies with fewer than 25 employees apply for a fee reduction of the Asylum Program Fee? Will there be a form like Form I-912, Request for Fee Waiver?

A. No additional form is needed. The new versions of Forms I-129, I-129CW, and I-140 contain fields where the petitioner can indicate if they employ 25 or fewer full-time equivalent employees, and we will determine the proper fee based on the petitioner's response and supporting documentation.

Q. What is a "full-time equivalent employee" in determining whether a petitioner qualifies for the small-employer discounts to the Form I-129 fee and Asylum Program Fee?

A. Generally, the number of full-time equivalent employees equals the number of full-time employees plus the number of part-time employees aggregated to full-time equivalents at the time of filing. The IRS defines an employee as an individual who receives "wages," with applicable taxes deducted, along with Social Security and unemployment deductions, and who receives a W-2 reporting their income.

Q. If I have part-time employees, what documentation should I provide?

A. Provide documentation showing the number of part-time employees and the aggregate weekly hours that the part-time employees work.

Q. Do noncitizen workers count toward the number of full-time equivalent employees?

A. You should count all current workers you employ at the time of filing, regardless of immigration status.

Q. Do seasonal workers count as full-time equivalent employees?

A. Full-time equivalent employees include seasonal nonimmigrant workers if they are paid as employees, not contractors. You should count all seasonal workers you employ at the time of filing.

Q. Do the beneficiaries on the petition count as full-time equivalent employees?

A. The beneficiary of a petition does not count as an employee unless they are *currently* working for the petitioner as an employee at the time of filing.

Q. Should a petitioner count only those full-time equivalent employees listed under the petitioner's Federal Employer Identification Number (FEIN)? What about employees listed under affiliated FEINs (for example, affiliated offices in different regions)?

A. Petitioners should include all the petitioner's full-time equivalent employees in the United States, including its affiliates and subsidiaries. The petitioner should not, however, include additional employees from the petitioning employer's parent company or the parents of any affiliates. In other words, in an organizational chart that begins with the petitioner, count down and horizontally, including the petitioning employer's affiliates and subsidiaries, but do not count upward toward the petitioner's parent or its affiliates' parents.

Q. What proof is needed to show the number of full-time equivalent employees?

A. The instructions for Forms I-129 and I-140 state that possible evidence includes a copy of the petitioner's most recent IRS Form 941, Employer's Quarterly Federal Return; or IRS Form 943, Employer's Annual Tax Return for Agricultural Workers. However, petitioners may submit any relevant

evidence that shows the number of full-time equivalent employees by a preponderance of the evidence. For example, the petitioner may include a list of the names of their full and part time employees and the average hours worked per week, with a calculation that converts the total hours worked by their employees into total FTEs.

Q. Because the IRS Form 941 includes salary information, can petitioners redact this information for privacy reasons?

A. Yes. Such redaction is permissible when the evidence is only to support eligibility for a reduced fee and the redacted information is not otherwise relevant to the adjudication.

Q. What additional information or evidence should a petitioner submit if they employ fewer full-time equivalent employees than the number of employees listed on IRS Form 941 or 943?

A. Petitioning employers may submit any relevant evidence to show their actual number of full-time equivalent employees and must establish that number by a preponderance of the evidence. The petitioning employer should explain why the actual number of full-time equivalent employees differs from the number on their Form 941 or Form 943.

Q. Is a headcount of current employees sufficient for determining the number of full-time equivalent employees?

A. Headcount is relevant in determining the number of full-time equivalent employees, but petitioners should be sure to aggregate part-time employees to full-time equivalents.

Q. Because IRS Forms 941 and 943 provide a number of employees on payroll instead of full-time equivalent (FTE) employees, how will USCIS account for this distinction?

A. If the number of employees identified on the IRS Form 941 or Form 943 is more than 25, but the actual number of FTE employees is 25 or fewer, the petitioner should submit additional documentation that distinguishes the FTE employees from non-FTE employees.

Q. For H-2A petitions filed by a U.S. agricultural producer association named as a joint employer on the temporary labor certification, would each joint employer have to submit evidence of their number of full-time equivalent employees with [Form I-129, Petition for a Nonimmigrant Worker](#)? Or just the association?

A. Only the association would have to submit evidence of full-time equivalent (FTE) employees. FTE employees for associations (or similar entities) include current FTE employees of the petitioner and the number of current FTE H-2A workers the association has previously petitioned for as the joint employer of its association member-farms. The employee count must also include everyone currently directly employed by affiliates and/or subsidiaries of the petitioner. However, the employee count does not include workers directly employed by member-farms if these workers are not the beneficiaries of a petition filed by the association or similar entity.

Associations who currently (directly or jointly) employ more than 25 FTE employees must state in Part 5, Question 14, of the Form I-129 either the exact number of such employees or a number higher than 25 (for example, "26") and must pay the full fee amount. If a petitioner believes they qualify for a fee discount as a small employer, they must state the exact number of their FTE employees in Part 5, Question 14 of the Form I-129 and submit evidence of their own current FTE employees, including all employees of association members for whom they have previously petitioned and who are within their approved validity period at the time of filing.

Q. How will small farmers who do not file IRS Forms 941 or 943 demonstrate that they are eligible for the half-price Asylum Program Fee for petitioners who are small employers?

A. There is no strict requirement to submit IRS Form 941 or Form 943 as evidence; petitioners may submit any relevant evidence that shows the number of full-time equivalent employees by a preponderance of the evidence.

Q. Will petitioning employers that use a professional employer organization (PEO) still be subject to the full Asylum Program Fee even if the petitioning company has 25 or fewer employees?

A. Petitioning employers who outsource certain functions through a PEO should not count the PEO's full-time equivalent employees in determining whether the petitioner qualifies as a small employer. However, in the absence of a Form 941, the petitioner must submit alternate documentation to confirm how many full-time equivalent employees they currently employ. We do not require a specific form to confirm the petitioner's full-time equivalent employees.

Q. When a petitioner is an agent or sponsoring organization, not the beneficiary's employer, can they be eligible for a reduced Form I-129 fee and reduced Asylum Program Fee?

A. The fees for an agent petitioner (as in the O or P context, among others) or a sponsoring organization petitioner (as in the P context) follow the same rules as any other Form I-129 petitioning entity or individual. Both the Form I-129 fee and the Asylum Program Fee depend on the petitioner's number of employees and nonprofit status, as is the case for any petitioning entity.

Q. Do beneficiary-owners pay the discounted fee for Form I-129?

A. When an individual beneficiary of a Form I-129 petition is a part or sole owner of the petitioning entity, then the Form I-129 fee depends on the petitioning entity's number of employees and nonprofit status, as is the case for any petitioning entity.

On Form I-129, select Yes in Part 5, Question 15, if you currently employ a total of 25 or fewer full-time equivalent employees. Select Yes in Part 1, Question 6, if you are a nonprofit organization.

Discounts for Nonprofits

Q. What are the fee discounts for nonprofit petitioning employers?

A. The fee rule provides special relief for nonprofit petitioners, who are not required to pay the Asylum Program Fee.

In addition, for the fees for Form I-129 and Form I-129CW, nonprofit employers will pay a discounted fee of up to 50% off. For the precise discounted fees, please see the full fee schedule, [Form G-1055](#).

On Form I-140, select Yes in Part 1, Question 5, if you are a nonprofit organization.

On Form I-129, select Yes in Part 1, Question 6, if you are a nonprofit organization (or Part 5, Question 8 on Form I-129CW).

Q. Where in the Form I-129 or Form I-140 filing packet should a petitioner include proof of nonprofit status?

A. You may include evidence of nonprofit status with other supporting documentation.

Q. Is an IRS determination letter recognizing an organization as a tax-exempt 501(c)(3) sufficient evidence for a fee exemption?

A. Yes, an organization's Determination Letter from the IRS or copy of a currently valid IRS tax exemption certificate are acceptable evidence of nonprofit status for purposes of requesting a reduced fee for Forms I-129 and I-129CW, and an exemption from the Asylum Program Fee.

Q. Which types of nonprofit entities qualify for the Form I-129 fee reduction and Asylum Program Fee exemption?

A. To qualify, the nonprofit organization must be either:

- Organized as tax exempt under the Internal Revenue Code section 501(c)(3), 26 U.S.C. 501(c)(3);
- A governmental research organization (as defined under 8 CFR 214.2(h)(19)(iii)(C));
- A not-for-profit primary or secondary educational institution; or
- A not-for-profit institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965, 20 U.S.C. 1001(a)).

Q. What if the IRS has not officially approved an organization's nonprofit status?

A. An organization may still qualify if it is a governmental research organization or an educational institution as described above. Otherwise, the petitioner does not qualify for the reduced Form I-129 fee or Asylum Program Fee exemption until the IRS has officially designated it as a 501(c)(3) organization.

Q. In determining that a petitioner qualifies as a nonprofit organization, will you need an IRS 501(c)(3) determination letter? What about organizations without a formal IRS determination letter, such as a church?

A. In general, petitioners may provide any relevant evidence to establish eligibility, including an organization's determination letter from the IRS or a copy of a currently valid IRS tax exemption certificate. A religious organization filing a Form I-129 petition for an R-1 nonimmigrant religious worker must submit an IRS determination letter to establish that they are a bona fide nonprofit religious organization; thus, we generally expect the same IRS determination letter for a religious organization claiming a discounted fee as a nonprofit.

Q. Must a petitioner submit evidence of nonprofit status with each Form I-129, Form I-129CW, or Form I-140?

A. Yes, the petitioner must demonstrate eligibility for fee reductions and exemptions in every submission, as with the substantive requirements for the underlying benefit.

Other Questions About Employment-Based Forms and Fees

Q. How can I determine what fees to pay and what discounts are available when filing Form I-129 or Form I-140?

A. A table of the new fee schedule is posted on this page under the heading "New Fee Schedule Table." We also post an updated, comprehensive fee schedule on our [Fee Schedule](#) webpage, which contains an additional feature that allows you to select the individual form and see all fees associated with it. We also have an online [Fee Calculator](#) that you can use to help determine your fee.

The fees for filing Form I-129 depend on the specific classification and whether there are named or unnamed beneficiaries.

Q. Why are you limiting the number of named beneficiaries on a petition to 25?

A. The cost to adjudicate a nonimmigrant petition increases with each additional named beneficiary. The fee structure providing the same fee regardless of the number of nonimmigrants included in the petition disproportionately shifts the costs of processing nonimmigrant petitions to those with few beneficiaries compared to those with large numbers of beneficiaries. In other words, petitioners filing petitions with low named beneficiary counts subsidize the cost of petitioners filing petitions with high named beneficiary counts. The limitation on the number of beneficiaries shifts the costs of adjudicating nonimmigrant petitions toward those petitions that require us to expend the most resources and reduces the relative fee burden on petitions with fewer beneficiaries.

Q. Does the limit of 25 named beneficiaries per Form I-129 apply to the U.S. entity petitioner? What if it is a multinational petitioner?

A. The limit on named beneficiaries for Form I-129 applies regardless of the type of petitioner.

Q. For a group petition that must be separated into multiple forms due to the 25 beneficiaries cap, how should these forms be submitted so that it is evident they are part of a whole?

A. You may submit multiple petitions in one mailing if you file them on paper.

Q. How will USCIS adjudicate P-1 filings where the beneficiaries are part of the same group but need to be split into separate filings because of the named beneficiaries limit? How will USCIS match P-1S petitions with the principal P-1 petitions when filings are split? How will USCIS assess the 75 percent rule for the P-1B classification if filings need to be split?

A. We suggest that petitioners make clear in a cover letter with each petition that they are submitting multiple, related filings for beneficiaries who are part of the same group and provide any related receipt numbers if they are not being filed at the same time. Petitioners should be similarly clear regarding their P-1S petitions in identifying the principal petition and providing the receipt number for the principal petition, when available. The 75% rule will apply to the entire group that is requested and not just the specific beneficiaries of each petition. As such, each petition should include the required list of everyone who is in the group with their names and employment start date. If any information necessary for adjudication is not provided at the time of filing, we will send a Request for Evidence.

Q. Are all supporting documents (such as cover letter, itinerary, evidence for the classification) that is based on the group, not individual members, filed alongside each Form I-129, or is one Form I-129 designated the primary petition?

A. When petitioning for more than 25 named beneficiaries, the employer must submit copies of all supporting documentation with each separate petition.

Q. Do I need to include a copy of the labor consultation in each Form I-129?

A. Yes.

Q. Please clarify whether the Form I-129 petition fee includes the American Competitiveness and Workforce Improvement Act (ACWIA) and Fraud Prevention Fees. If not, have these fees changed?

A. The ACWIA and Fraud Prevention Fees are separate and in addition to the main fee and the Asylum Program Fee for Form I-129. These longstanding statutory fees have not changed.

Q. Can employers apply for a fee waiver?

A. In general, fee waivers are not available for Form I-129 or Form I-140. However, a petitioning employer may request a fee waiver for Form I-129CW when petitioning for a CW-1 transitional worker or for Form I-129 when petitioning for an E-2 CNMI Investor. Because only a sole proprietor could meet the criteria for inability to pay, only a sole proprietor could request such a fee waiver.

Q. What are the changes in the fee rule that affect O nonimmigrant visas?

A. For O nonimmigrant beneficiaries, the fee for Form I-129 increases from \$460 to \$1,055. However, the fee only increases to \$530 for petitioners who are nonprofits or small employers. Petitioners must also pay the \$600 Asylum Program fee, although there is a reduced fee (\$300) for small employers and no additional fee for nonprofits. The fee rule also limits the number of O nonimmigrant beneficiaries that can be included on one petition to 25.

Q. What are the changes in the fee rule that affect P nonimmigrant visas?

A. For P nonimmigrant beneficiaries, the fee for Form I-129 increases from \$460 to \$1,015. However, the fee only increases to \$510 for petitioners who are nonprofits or small employers. Petitioners must also pay the \$600 Asylum Program fee, though there is a reduced fee (\$300) for small employers and no additional fee for nonprofits. The fee rule also limits the number of P nonimmigrant beneficiaries that can be included on one petition to 25.

Naturalization and Form N-400



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 is consistent with this longstanding practice, 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 at or below 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.

N-400, Application for Naturalization, including biometric services	Previous fee(s)	Final rule fee(s)	\$ change	% change
Household income greater than 400% of the Federal Poverty Guidelines (FPG) (paper filing)	\$725	\$760	\$35	5%
Household income greater than 400% of the FPG (online filing)	\$725	\$710	-\$15	-2%
Household income between 150-200% of the FPG	\$405	\$380	-\$25	-6%
Household income between 200-400% of the FPG	\$725	\$380	-\$345	-48%

Q. What is the Form N-400 reduced fee amount?

A. The reduced fee for Form N-400 will be \$380 as of April 1, 2024.

Note the new fee rule edition of Form N-400 incorporates in Part 10 a request for a reduced fee based on household income, eliminating the need to submit [Form I-942, Request for Reduced Fee](#), which is being discontinued.

You cannot file online if you are requesting a reduced fee; you must file a paper Form N-400.

If you are applying for a reduced fee, select “Yes” in Part 10, Item Number 1, then complete Part 10, and submit \$380 and documentation to support the reduced fee.

Q. Is it correct that those filing Form I-912, Request for Fee Waiver, should *not* send a fee, but those filing Form N-400 with a reduced fee request in Part 10 *should* send a fee?

A. Yes. An applicant submitting a request for a fee waiver should submit Form N-400 along with Form I-912 (or a written request) and *without a fee*.

You cannot file online if you are requesting a fee waiver; you must file a paper Form N-400.

If you are applying for a fee waiver, you are not required to completed Part 10 of the Form N-400. Do not send a fee. Submit a properly completed Form I-912, or a written request for a fee waiver, and documentation to support the fee waiver request.

An applicant requesting a reduced fee with Form N-400 on or after April 1, 2024, should submit the new Form N-400 with Part 10 complete and pay the amount of the reduced fee (\$380).

If an applicant were to submit the correct reduced fee with their N-400 and also filed the Form I-912 fee waiver request, we would accept the fee and *not* adjudicate the fee waiver request.

Q. Can I file Form N-400 online and request a fee reduction in Part 10 of the N-400?

A. No. You cannot file online if you are requesting a fee waiver or a reduced fee; you must file a paper Form N-400. Applicants requesting a reduced fee must submit Form N-400 with Part 10 completed on paper. The 04/01/24 edition of the form incorporates the reduced fee request in Part 10, and no separate Form I-942 is necessary.

Q. If an applicant uses Form I-942 during the grace period, will USCIS still apply the new income limits when adjudicating a request for a reduced N-400 fee?

A. Yes, we will apply the new income limits (household income less than or equal to 400% of the Federal Poverty Guidelines) to all reduced fee requests that are postmarked on or after April 1, 2024, even if the applicant uses Form I-942 with the old Form N-400 version during the grace period.

Q. What documentation should N-400 applicants submit to establish household income at or below 400% of the Federal Poverty Guidelines to obtain a reduced fee?

A. According to the [Form N-400 instructions \(PDF, 967.75 KB\)](#), you may show your income or that of a household member by submitting the most recent federal tax return, consecutive pay statements for at least one month, a recent Form W-2, Form SSA-1099, or an employment statement showing salary or wages paid.

Q. Where can I learn more about eligibility and required evidence for the Form N-400 fee reduction?

A. Please see [Additional Information on Filing a Reduced Fee Request](#). The Form N-400 instructions also provide information on income documentation for reduced fee requests.

Q. Will the lockbox facilities continue to adjudicate reduced fee requests?

A. Yes. The lockbox facilities will continue to adjudicate any reduced fee request before the case is sent to a field office for the naturalization adjudication. Just as adjudicators previously had access to Form I-942, they will have access to the reduced fee request in Part 10 of the new Form N-400.

Q. Will there be a fee exemption for biometrics based on age?

A. No. We will no longer have a biometrics fee exemption for applicants over the age of 75. We [updated our policy in 2017 \(PDF, 273.64 KB\)](#) to require biometrics regardless of age, because new electronic processing of applications and improved technology allow us to capture fingerprints for applicants of all ages. The cost of biometric services is now incorporated into Form N-400 fees, and there is no longer a biometric services fee.

Q. If USCIS determines that I am not eligible for a reduced Form N-400 fee, can I submit the difference in filing fee to prevent the application from being rejected?

A. We will reject any filing that is not submitted with the correct fee. The applicant will be required to refile Form N-400 with the proper fee.

Q. If a request for fee reduction is rejected, what will happen to the \$380 check submitted by the applicant? Will the applicant be required to file a new Form N-400, pay the full fee, and forfeit the \$380 already paid?

A. We will not process payment for a rejected filing and will return the payment instrument to the applicant.

Q. Where can I find information about the Federal Poverty Guidelines for reduced-fee naturalization applications?

A. The [2024 guidelines](#) are available online, and the U.S. Department of Health and Human Services updates them every year. We will no longer publish the guidelines in Form I-942P. However, we have created a new website for [Poverty Guidelines](#), which displays 400% of the Federal Poverty Guidelines for purposes of the reduced-fee Form N-400.

Adjustment of Status, Employment Authorization, and Advance Parole

Q. What are the new fees for Form I-485 filed with Forms I-131 and I-765?

A. Starting April 1, 2024, Form I-485, Application for Adjustment of Status, will have a standard fee of \$1,440 for applicants 14 years of age or older. The fees for Form I-765, Application for Employment Authorization, and Form I-131, Application for Travel Documents, Parole Documents, and Arrival/Departure Records, will no longer be bundled. This means that if you file Form I-485 on or after April 1, 2024, you will have to pay separate fees for Forms I-131 and I-765.

The new fee for Form I-131 when seeking advance parole is \$630.

The new fee for Form I-765 is \$470 (online filing) or \$520 (paper filing). If you also have a pending Form I-485, however, there is a special reduced fee for the Form I-765, whether filed online or on paper (\$260).

If you filed your Form I-485 before April 1, 2024, and paid the fee, there will be no fee to file Form I-131 or Form I-765 while your Form I-485 remains pending. For further details on fees related to adjustment of status, please see our [Fee Schedule](#).

Q. If I am filing Forms I-485, I-765, and I-131, should I wait until the Form I-485 is processed before paying the other two fees?

A. Although the fees for these forms are no longer bundled, you can still file all three forms simultaneously so long as you submit separate payments for each form.

Q. Before April 1, 2024, a Form I-765 filed concurrently with Form I-485 had no additional fee. What is the fee to renew an Employment Authorization Document when a Form I-485 is pending?

A. Generally, if you already paid for Form I-485 before April 1, 2024, then you may continue to renew your Employment Authorization Document using Form I-765 for free while your adjustment of status remains pending.

If you file Form I-765 concurrently with Form I-485 on or after April 1, 2024, the Form I-765 will have a fee of \$260. When requesting to renew an Employment Authorization Document, applicants who filed Form I-485 and Form I-765 concurrently on or after April 1, 2024, will have a Form I-765 fee of \$260.

Q. I paid fees for applications I filed with the Executive Office for Immigration Review (EOIR) and was issued USCIS receipts (for example, Form I-485). Are these payments considered when the fees were changed, or do I have to repay these fees when a final decision on my application is made?

A. The new fees have no effect on previously filed requests. You need to pay only one fee for your Form I-485. For information about what to do after an immigration court grants relief or protection from removal, see [Post-Order Instructions for Individuals Granted Relief or Protection from Removal by Immigration Court \(PDF, 237.2 KB\)](#).

Fees submitted to DHS for EOIR applications, relief, or motions to reopen or reconsider apply only to those associated applications or motions. Each application or motion has its own associated fee, and paying a fee for an initial application or motion does not discount fees for new applications or motions filed with DHS or EOIR after a final decision.

Q. Does an applicant who has protection-based status (for example, T and U nonimmigrant status) have to apply for adjustment of status based on that specific ground of eligibility to qualify for a fee exemption for [Form I-485, Application to Register Permanent Residence or Adjust Status](#)?

A. In most cases yes, an applicant for adjustment of status must seek adjustment based on the fee-exempt classification to qualify for a fee exemption for Form I-485. For example, if a U nonimmigrant seeks adjustment of status as an immediate relative spouse of a U.S. citizen, they would not qualify for a fee exemption for Form I-485. The U nonimmigrant would only qualify for the fee exemption if they applied to adjust status under section 245(m) of the Immigration and Nationality Act or another fee-exempt category. However, refugees and people paroled as refugees may file a fee-exempt Form I-485 regardless of the underlying basis of adjustment.

Abused Spouses and Children

Q. What are the fees for an abused spouse or child adjusting status under the Cuban Adjustment Act (CAA) or the Haitian Refugee Immigration Fairness Act (HRIFA)?

A. The new fee rule makes Form I-485, Application to Register Permanent Residence or Adjust Status, fee exempt (free) for an abused spouse or child adjusting status under the CAA or HRIFA.

The new fee rule also expands fee exemptions for other forms filed by CAA and HRIFA applicants, including:

- Form I-131, Application for Travel Documents, Parole Documents, and Arrival/Departure Records;
- Form I-601, Application for Waiver of Grounds of Inadmissibility; and
- Form I-765, Application for Employment Authorization.

In addition, we accept [fee waiver requests](#) for several other forms if the applicant is unable to pay, including for these forms:

- Form I-90, Application to Replace Permanent Resident Card (Green Card);
- Form I-290B, Notice of Appeal or Motion;
- Form N-400, Application for Naturalization; and
- Form N-600, Application for Certificate of Citizenship.

See the section above under “Fee Exemptions and Fee Waivers Chart” for a complete list of fee waivers.

Q. If a VAWA self-petitioner files Form I-360 before April 1, 2024, and then files an ancillary form after April 1, 2024, would the fee exemption apply to the newly filed form?

A. Yes. If the form is filed after April 1, 2024, and is eligible for the fee exemption, then no fee would be required. We will use the postmark date of the filing to determine which form version and fees are

correct, but we will use the received date for purposes of any regulatory or statutory filing deadlines.

Q. I need to renew my Form I-765, Application for Employment Document. What is the new fee for VAWA self-petitioners and derivatives?

A. The final fee rule expands fee exemptions for VAWA self-petitioners and derivatives. As of April 1, 2024, Form I-765 is fee-exempt for all VAWA self-petitioners and derivatives who file an initial or renewal request or a replacement Form I-765 without filing a Form I-912, Request for Fee Waiver.

Q. Do VAWA I-360 self-petitioners and derivatives still need to file Form I-360 and Form I-485 concurrently to be eligible for the new fee exemptions?

A. No. The final rule eliminates the requirement of filing Form I-360 and Form I-485 concurrently to be eligible for the new fee exemptions.

Q. As a VAWA I-360 self-petitioner, I am now eligible to naturalize, but I cannot pay the full fee. Am I eligible for any fee waivers?

A. Yes. Although the new fee rule creates many fee exemptions for VAWA self-petitioners and their derivatives, these automatic fee exemptions do not apply to all future filings, such as Form N-400, Application for Naturalization.

You may request a reduced fee for Form N-400 (\$380) when you file online, if your household income is at or below 400% of the [Federal Poverty Guidelines](#).

You may also [request a fee waiver](#) for Form N-400 and several other forms if you cannot pay the fee, by filing a Form I-912, Request for Fee Waiver. These forms include:

- Form I-90, Application to Replace Permanent Resident Card (Green Card);
- Form I-290B, Notice of Appeal or Motion; and
- Form N-400, Application for Naturalization.

See the section above under “Fee Exemptions and Fee Waivers Chart” for a complete list of fee waivers for VAWA-based Form I-360.

Q. Is it free to file Form I-751 for a conditional permanent resident filing based on battery or extreme cruelty? Are there still fee waivers available for ancillary forms?

A. Yes. The new fee rule makes Form I-751, Petition to Remove Conditions, and Form I-290B, Notice of Appeal or Motion (only when filed for Form I-751), fee exempt for conditional permanent residents who are filing based on battery or extreme cruelty.

The fee rule did not make any other change to the ancillary forms that remain eligible for a [fee waiver](#) for conditional permanent residents who are filing based on battery or extreme cruelty.

See the section above under “Fee Exemptions and Fee Waivers Chart” for a complete list of fee waivers.

Q. What are the fees for an abused spouse or child adjusting status under the Cuban Adjustment Act (CAA) or the Haitian Refugee Immigration Fairness Act (HRIFA)?

A. The new fee rule makes Form I-485, Application to Register Permanent Residence or Adjust Status, fee exempt (free) for an abused spouse or child adjusting status under the CAA or HRIFA.

The new fee rule also expands fee exemptions for other forms filed by CAA and HRIFA applicants, including:

- Form I-131, Application for Travel Documents, Parole Documents, and Arrival/Departure Records;
- Form I-601, Application for Waiver of Grounds of Inadmissibility; and
- Form I-765, Application for Employment Authorization.

In addition, [fee waiver requests](#) are accepted for several other forms if the applicant is unable to pay, including for these forms:

- Form I-90, Application to Replace Permanent Resident Card (Green Card);
- Form I-290B, Notice of Appeal or Motion;
- Form N-400, Application for Naturalization; and
- Form N-600, Application for Certificate of Citizenship.

See the section above under “Fee Exemptions and Fee Waivers Chart” for a complete list of fee waivers.

Q. What are the fees for an abused spouse or child filing under the Nicaraguan Adjustment and Central American Relief Act (NACARA)?

A. The new fee rule provides that Form I-824, Application for Suspension of Deportation or Special Rule Cancellation of Removal (Pursuant to Section 203 of Public Law 105-100 (NACARA)), is free to principal applicants and eligible dependent children.

The new fee rule also expands fee exemptions for other forms filed by NACARA applicants, including:

- Form I-765, Application for Employment Authorization (Initial, renewal, and replacement);
- Form I-601, Application for Waiver of Grounds of Inadmissibility; and
- Form I-824, Application for Action on an Approved Application or Petition.

In addition, [fee waiver requests](#) are accepted for several other forms if the applicant is unable to pay. See the section above under “Fee Exemptions and Fee Waivers Chart” for a complete list of fee waivers and fee exemptions.

Q. Are employment authorization applications free for an abused spouse of a legal permanent resident or U.S. citizen filing under INA section 240A(b)(2), along with eligible dependent children?

A. Yes. The fee rule now provides fee exemptions for employment authorization document (EAD) initial, renewal, and replacement requests with Form I-765.

In addition, [fee waiver requests](#) are accepted for several other forms if the applicant is unable to pay. See the section above under “Fee Exemptions and Fee Waivers Chart” for a complete list of fee waivers and fee exemptions.

Q. Under the new fee rule, is it still free to file Form I-765V as an abused spouse filing as an A, E-3, G, or H visa nonimmigrant?

A. Yes. The fee rule did not change the fee exemption for Form I-765V, so this form is still free for abused spouses filing as an A, E-3, G, or H nonimmigrant.

You may also be eligible for a [fee waiver](#) for Form I-290B (if filed for a denied Form I-765V) and you cannot pay the filing fee.

U Nonimmigrants

Q. Is there a fee to file for U nonimmigrant status (U visa)?

A. No. The new fee rule creates fee exemptions for most forms filed by those seeking or granted U nonimmigrant status, including these forms:

- Form I-918, Petition for U Nonimmigrant Status;
- Form I-918, Supplement A – Petition for Qualifying Family Member of U-1 Recipient;
- Form I-918, Supplement B – U Nonimmigrant Status Certification;
- Form I-765, Application for Employment (for initial, renewal, and replacement requests);
- Form I-539, Application to Extend/Change Nonimmigrant Status;
- Form I-485, Application to Register Permanent Residence or Adjust Status;
- Form I-192, Application for Advance Permission to Enter as a Nonimmigrant; and
- Form I-290B, Notice of Appeal or Motion (only if filed for any benefit request filed before adjusting status or for Form I-485 and associated ancillary forms).

Note that all forms that are fee exempt for those seeking or granted U nonimmigrant status are free and do *not* require a Form I-912, Fee Waiver Request.

See the section above under “Fee Exemptions and Fee Waivers Chart” for a complete list of fee exemptions for U visa petitioners.

Q. Can U nonimmigrants qualify for any fee waivers?

A. Yes. Although the new fee rule makes most forms associated with filing for U nonimmigrant status fee exempt, several forms are eligible for [fee waiver](#) consideration to U nonimmigrants by filing a Form I-912, Request for Fee Waiver, including:

- Form I-90, Application to Replace Permanent Resident Card (Green Card);
- Form I-290B, Notice of Appeal or Motion; and
- Form N-400, Application for Naturalization.

See the section above under “Fee Exemptions and Fee Waivers Chart” for a complete list of fee waivers for U nonimmigrant petitioners.

Q. Do the fee exemptions apply to all applications filed by derivative U visa petitioners as well as principals?

A. Yes. Language in the fee rule referring to “petitioners and U nonimmigrants” includes all derivative filers. An individual filing as a derivative for U nonimmigrant status is seeking or is granted a U visa. Therefore, such individuals are eligible for all the same fee exemptions provided to principal U nonimmigrant petitioners.

Q. If I filed Form I-918 before April 1, 2024, will I still be able to file Form I-192, Application for Advance Permission to Enter as a Nonimmigrant, for free after April 1?

A. Yes. In this situation, you can still file Form I-192 for free, regardless of when you filed Form I-918. Because Form I-192 is subject to a fee exemption for U nonimmigrant petitioners under the final rule, no fee would be required when filed after April 1, 2024. We will use the postmark date of a filing to determine which form version and fees are correct, but we will use the received date for purposes of any regulatory or statutory filing deadlines.

T Nonimmigrants

Q. Is there a fee to apply for T nonimmigrant status (T visa)?

A. No. The new fee rule creates fee exemptions for most forms filed by those seeking or granted T nonimmigrant status, including:

- Form I-914, Application for T Nonimmigrant Status;
- Form I-914, Supplement A – Application for Family Member of T-1 Recipient;
- Form I-914, Supplement B – Declaration of Law Enforcement Officer for Victim of Trafficking in Persons;
- Form I-192, Application for Advance Permission to Enter as a Nonimmigrant;
- Form I-765, Application for Employment (initial, renewal, and replacement requests);
- Form I-485, Application to Register Permanent Residence or Adjust Status; and
- Form I-290B (only if filed for any benefit request filed before adjusting status or for Form I-485 and associated forms).

Note that all forms that are fee exempt for those seeking or granted T nonimmigrant status are free and do *not* require a Form I-912, Fee Waiver Request.

See the section above under “Fee Exemptions and Fee Waivers Chart” for a complete list of fee exemptions for T nonimmigrant petitioners.

Q. Can T nonimmigrants qualify for any fee waivers?

A. Although the new fee rule makes most forms associated with filing for T nonimmigrant status fee exempt, several forms are eligible for [fee waiver](#) consideration to T visa nonimmigrants by filing a Form I-912, Request for Fee Waiver, including:

- Form I-90, Application to Replace Permanent Resident Card (Green Card);
- Form I-290B, Notice of Appeal or Motion; and
- Form N-400, Application for Naturalization.

See the section above under “Fee Exemptions and Fee Waivers Chart” for a complete list of fee waivers for T nonimmigrant petitioners.

Q. If I filed Form I-914 before April 1, 2024, will I still be able to file Form I-192, Application for Advance Permission to Enter as a Nonimmigrant, for free after April 1?

A. Yes. In this situation, you can still file Form I-192 for free after April 2024, regardless of when you filed Form I-914. Because Form I-192 is fee exempt for those seeking and granted T nonimmigrant status under the final rule, the fee exemption will continue to apply after April 1, 2024. We 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.

Special Immigrant Visas for Afghans and Iraqis

Q. What are the fees for Afghans and Iraqis who worked for the United States?

A. The new rule charges no fee for many of the forms filed by Afghans and Iraqis who worked as interpreters or translators or who otherwise worked on behalf of the U.S. government or the International Security Assistance Force, including:

- Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant;
- Form I-485, Application to Register Permanent Residence or Adjust Status;
- Form I-601, Application for Waiver of Ground of Inadmissibility;
- Form I-131, Application for Travel Documents, Parole Documents, and Arrival/Departure Records;
- Form I-212, Application for Permission to Reapply for Admission into the U.S. After Deportation or Removal;
- Form I-290B, Notice of Appeal or Motion (only if filed for any benefit request filed before adjusting status to a legal permanent resident or for Form I-485 and associated ancillary forms);
- Form I-765, Application for Employment Authorization (for initial, renewal, and replacement requests); and
- Form I-824, Application for Action on an Approved Application or Petition.

There is also no fee for an applicant's spouse and children to file these forms. These individuals do not have to pay the USCIS Immigrant Fee if immigrating to the United States as legal permanent residents.

For other forms, they must pay the normal fee listed in the fee schedule, although they may [request a fee waiver](#) for many of those fees if they are unable to pay.

See the section above under "Fee Exemptions and Fee Waivers Chart" for a complete list of fee exemptions and fee waivers for Special Immigrant Visas for Afghans and Iraqis.

Q. Are these fee exemptions for Special Immigrant Visas for Afghans and Iraqis permanent, or are there some that are temporary?

A. The fee exemptions provided in the final rule for this population are effective April 1, 2024, and do not expire. The table below lists existing temporary fee exemptions (for certain Afghan or other applicants or petitioners) that were provided before this final rule and have an expiration date.

Temporary Fee Exemptions

Form/Fee	Category of Requestor	Type of Request	Expiration Date
Form I-130, Petition for Alien Relative	Any eligible petitioner	Filed in the United States on behalf of any Afghan national with a visa immediately available	Sept. 30, 2024
Form I-131, Application for Travel Documents, Parole Documents, and Arrival/Departure Records	Afghan nationals paroled into the United States between July 31, 2021, through May 26, 2023	Re-parole applications and requests for employment authorization renewals	Sept. 30, 2024
Form I-131, Application for Travel Documents, Parole Documents, and Arrival/Departure Records	Department of State locally employed staff and their family members	Parole requests under INA 212(d)(5)(A) referred from U.S. government partners	Sept. 30, 2024
Form I-601, Application for Waiver of Grounds of Inadmissibility	Afghan national beneficiaries of an approved Form I-130 with an immigrant visa immediately available	Waiver of grounds of inadmissibility	Sept. 30, 2024
Form I-765, Application for Employment Authorization	Afghan nationals applying based on being paroled into the United States under INA 212(d)(5)	Initial or replacement request	Sept. 30, 2024
Form I-765, Application for Employment Authorization	Afghan nationals who were paroled into the United States on or after July 31, 2021; and who were paroled or were the beneficiary of a Form I-131 approved on or before May 26, 2023	Renewal request	July 31, 2024

Form/Fee	Category of Requestor	Type of Request	Expiration Date
Form I-765, Application for Employment Authorization	Parolees and TPS applicants	Requests submitted through USCIS-recognized state or local government legal services clinics hosted through June 30, 2024	June 30, 2024
Form I-821, Application for Temporary Protected Status , and associated biometrics services fee	TPS applicants	Requests submitted through USCIS-recognized state or local government legal services clinics hosted through June 30, 2024	June 30, 2024
USCIS Immigrant Fee	Afghan nationals	Fee associated with processing the immigrant visa packet and producing a Green Card (Form I-551, Permanent Resident Card)	Sept. 30, 2024

Q. Do spouses and children also receive free filing?

A. Yes. Derivative spouses and children qualify for a fee exemption if their principal applicant is seeking or was granted a Special Immigrant Visa or status as:

- An Afghan or Iraqi translator or interpreter;
- An Iraqi national employed by or on behalf of the U.S. government; or
- An Afghan national employed by or on behalf of the U.S. government or by the International Security Assistance Force.

Q. What happens to the other forms that are temporarily free for Afghans?

A. Currently, the fee exemptions for most of these forms are set to expire Sept. 30, 2024, while the fee exemption for a renewed employment authorization document will expire July 31, 2024. We are evaluating whether to further extend these fee exemptions. Afghans with Special Immigrant Visas have a full fee exemption that do not expire. You can find up-to-date information on our Information for Afghan Nationals webpage and our fee schedule (see [Form G-1055, Fee Schedule](#)).

Special Immigrant Juveniles



Q. Will Form I-360 still be fee-exempt for Special Immigrant Juvenile (SIJ) petitioners?

A. Yes. The new rule maintains the fee exemption for Form I-360 for those petitioning for SIJ classification. In addition, the rule expands fee exemptions for most forms commonly filed by SIJs, including:

- Form I-131, Application for Travel Documents, Parole Documents, and Arrival/Departure Records;
- Form I-290B, Notice of Appeal or Motion (only if filed for any benefit request filed before adjusting status or for Form I-485 and associated ancillary forms);
- Form I-485, Application to Register Permanent Residence or Adjust Status;
- Form I-601, Application for Waiver of Grounds of Inadmissibility;
- Form I-765, Application for Employment Authorization (for initial, renewal, and replacement requests); and
- Form I-824, Application for Action on an Approved Application or Petition.

See the section above under “Fee Exemptions and Fee Waivers Chart” for a complete list of fee exemptions for Special Immigrant Juveniles.

Q. Will SIJ filers still be eligible for fee waivers after the new rule goes into effect?

A. Yes. Should you need to file a form that is not fee-exempt, such as Form N-400, Application for Naturalization, you may [request a fee waiver](#) if you cannot pay the fee.

See the section above under “Fee Exemptions and Fee Waivers Chart” for a complete list of fee waivers for Special Immigrant Juveniles.

Refugees and Asylees

**Q. Does the new fee rule provide new fee exemptions for refugees?**

A. The new rule maintains prior fee exemptions and provides additional exemptions for most forms that are commonly filed by refugees, including:

- Form I-590, Registration for Classification as a Refugee;
- Form I-131, Application for Travel Documents, Parole Documents, and Arrival/Departure Records;
- Form I-131A, Application for Carrier Document;
- Form I-485, Application to Register Permanent Residence or Adjust Status;
- Form I-602, Application for Refugee Waiver of Grounds of Inadmissibility;
- Form I-730, Refugee/Asylee Relative Petition; and
- Form I-765, Application for Employment Authorization.

For these forms, refugees will pay no fee. For naturalization-related forms and a few others, refugees may [request a fee waiver](#) if they cannot pay the fee.

See the section above under “Fee Exemptions and Fee Waivers Chart” for a complete list of fee exemptions and fee waivers for refugees.

Q. Does the new fee rule require asylum seekers to pay additional fees?

A. For asylum applicants, Form I-589, Application for Asylum and for Withholding of Removal, will still be free. This fee rule replaces the 2020 fee rule, which sought to charge \$50 for Form I-589 but never took effect.

Q. What is the fee to obtain an employment authorization document (EAD) while applying for asylum?

A. The first Form I-765 is free for asylum applicants unless they are filing under American Baptist Churches v. Thornburgh (ABC) Settlement Agreement procedures. Those seeking EAD renewals or replacements and those filing under special ABC procedures will have to pay the new fee of \$520 if filing by paper or \$470 if filing online. However, these applicants can [request a fee waiver](#) if they are unable to pay.

Q. After someone receives asylum, what if the asylee wishes to obtain an EAD?

A. Asylees are automatically authorized to work and do not have to file Form I-765. Their Form I-94 stamp qualifies as a List C document that establishes their authorization for employment (see [Form I-9 Acceptable Documents](#)).

However, asylees who want an EAD may obtain their first one for free, after which they will have to pay the standard fee (\$520 for paper filing, \$470 for online filing) for a renewal or replacement.

If they have already applied for permanent residence (in other words, for a Green Card), any subsequent Form I-765 will be free if they filed and paid for Form I-485 before April 1, 2024, and the Form I-485 remains pending. If they file Form I-485 after April 1, 2024, they must pay \$260 to obtain a renewal or replacement EAD. Asylees who cannot pay the fees for Form I-485 and Form I-765 may [request a fee waiver](#) for those fees.

Q. After someone receives asylum, what is the fee to file Form I-131, Refugee Travel Document (not Advance Parole)?

A. Effective April 1, 2024, the fee for a Form I-131 to obtain a Refugee Travel Document is \$135 if the applicant is under 16 years old. The fee is \$165 if the applicant is 16 years old or older. However, if the applicant filed Form I-485 before April 1, 2024, and paid the Form I-485 fee, there is no fee to file Form I-131 if that Form I-485 remains pending. Asylees can also [request a fee waiver](#) for their Refugee Travel Document if they cannot pay.

Q. What is the new fee for an asylee to obtain a Green Card?

A. The new fee to file Form I-485 is \$1,440. The fee for children under 14 who are filing with a parent is \$950. Applicants who cannot afford the fee may [request a fee waiver](#).

Q. Is the \$30 biometrics services fee for requests from the Executive Office of Immigration Review (EOIR) required for a defensive Form I-589 filing?

A. No. There is no biometrics services fee for applicants filing Form I-589, whether they file with USCIS or EOIR.

Military Service Members

Q. What forms can military service members file for free?

A. As in the past, current and former service members of the U.S. armed forces can file the following forms for free:

- Form N-400, Application for Naturalization;
- Form N-336, Request for a Hearing on a Decision in Naturalization Proceedings (Under Section 336 of the INA) (when filing under the military provisions of section 328 or 329 of the Immigration and Nationality Act); and
- Form N-600, Application for Certificate of Citizenship.

In addition, under the new fee rule, current and former service members of the U.S. armed forces will now be able to file these forms for free:

- Form I-131, Application for Travel Documents, Parole Documents, and Arrival/Departure Records;
- Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant;
- Form I-485, Application to Register Permanent Residence or Adjust Status; and
- Form I-765, Application for Employment Authorization.

Whereas Form I-131 used to be free only when filed with Form N-400, it now generally will be free for current and former military service members. Those seeking a Green Card must apply under INA 101(a)(27)(K) based on honorable, active-duty service to file Forms I-360 or I-485 for free.

Q. Can military service members request free filing for other forms that are not fee exempt?

A. Current and former military service members who cannot pay filing fees can also [request a fee waiver](#) for:

- Form I-90, Application to Replace Permanent Resident Card;
- Form N-300, Application to File Declaration of Intention;
- Form N-470, Application to Preserve Residence for Naturalization Purposes;
- Form N-565, Application for Replacement Naturalization/Citizenship Document; and
- Form N-600K, Application for Citizenship and Issuance of Certificate Under Section 322.

Unlike the automatic fee exemptions listed above, an applicant will need to show that they cannot pay the filing fee by providing evidence of receipt of a means-tested benefit, household income at or below 150% of the Federal Poverty Guidelines, or extreme financial hardship.

Intercountry Adoption

Q. How are fees changing for adoptive families?

A. The fee rule limits fee increases for adoption-related forms. Families filing orphan and Hague cases will benefit from no longer having to pay separate biometric services fees (\$85) for each adult in their household. Families will also benefit from fee exemptions for second extensions, second changes of country, and duplicate approval notices and Certificates of Citizenship and Naturalization for qualifying adoptees.

Form	Previous Fees (before April 1, 2024)	New Fees (effective April 1, 2024) (includes biometrics for all adult household members listed)
I-600	\$775 (+ \$85 biometrics per adult)	\$920
I-600A	\$775 (+ \$85 biometrics per adult)	\$920
I-600A Supplement 3	N/A	\$455
I-800	\$775 (+ \$85 biometrics per adult)	\$920
I-800A	\$775 (+ \$85 biometrics per adult)	\$920
I-800A Supplement 3	\$775 (+ \$85 biometrics per adult)	\$455

The table below provides a full list of fees and fee exemptions effective April 1, 2024.

Adoption Immigration Benefit Request	Final Fee (effective 4/1/2024)
<ul style="list-style-type: none"> I-600 Petition to Classify Orphan as an Immediate Relative 	\$920
<ul style="list-style-type: none"> First Form I-600 with approved and valid Form I-600A 	\$0
<ul style="list-style-type: none"> If more than one Form I-600 is filed based on an approved and valid Form I-600A for children who are birth siblings before the proposed adoption 	\$0

Adoption Immigration Benefit Request	Final Fee (effective 4/1/2024)
<ul style="list-style-type: none"> ◦ If more than one Form I-600 is filed based on an approved and valid Form I-600A for children who are not birth siblings before the proposed adoption 	\$920
<ul style="list-style-type: none"> ◦ Form I-600 combination filing exemption: Change in marital status while Form I-600 combination filing suitability determination is pending 	\$0
<ul style="list-style-type: none"> ◦ Form I-600 combination filing change in marital status after suitability approval 	\$920
<ul style="list-style-type: none"> • I-600A Application for Advance Processing of an Orphan Petition 	\$920
<ul style="list-style-type: none"> ◦ Change in marital status while Form I-600A is pending 	\$0
<ul style="list-style-type: none"> ◦ Change in marital status after Form I-600A approval 	\$920
<ul style="list-style-type: none"> • Form I-600A/I-600 Supplement 1 (Listing of Adult Member of the Household) 	\$0
<ul style="list-style-type: none"> • Form I-600A/I-600 Supplement 2 (Consent to Disclose Information) 	\$0
<ul style="list-style-type: none"> • Form I-600A/I-600 Supplement 3 (Request for Action on Approved Form I-600A/I-600) 	\$455
<ul style="list-style-type: none"> ◦ First extension of Form I-600A approval or first change of country 	\$0
<ul style="list-style-type: none"> ◦ Second extension of Form I-600A Approval 	\$0
<ul style="list-style-type: none"> ◦ Second change of country 	\$0

Adoption Immigration Benefit Request	Final Fee (effective 4/1/2024)
<ul style="list-style-type: none"> Third and subsequent extension of Form I-600A Approval 	\$455
<ul style="list-style-type: none"> Third and subsequent change of country 	\$455
Significant change and updated home study and there is no request for a first or second extension of Form I-600A approval or a first or second change of non-Hague Adoption Convention country on the same Supplement 3.	\$455
Duplicate Approval Notice	\$0
<ul style="list-style-type: none"> Form I-800 Petition to Classify Convention Adoptee as an Immediate Relative 	\$920
<ul style="list-style-type: none"> First Form I-800 with an approved and valid Form I-800A. 	\$0
<ul style="list-style-type: none"> If more than one Form I-800 is filed for an approved and valid Form I-800A for children who are birth siblings before the proposed adoption 	\$0
<ul style="list-style-type: none"> If more than one Form I-800 is filed based on an approved and valid Form I-800A for children who are not birth siblings before the proposed adoption 	\$920
<ul style="list-style-type: none"> Form I-800 Supplement 1, Consent to Disclose Information. 	\$0
<ul style="list-style-type: none"> Form I-800A Application for Determination of Suitability to Adopt a Child from a Convention Country 	\$920
<ul style="list-style-type: none"> Change in marital status while Form I-800A is pending 	\$0
<ul style="list-style-type: none"> Change in marital status after approval of Form I-800A 	\$920

Adoption Immigration Benefit Request	Final Fee (effective 4/1/2024)
<ul style="list-style-type: none"> Form I-800A Supplement 1 (Listing of Adult Member of the Household) 	\$0
<ul style="list-style-type: none"> Form I-800A Supplement 2 (Consent to Disclose Information) 	\$0
<ul style="list-style-type: none"> Form I-800A Supplement 3 (Request for Action on Approved Form I-800A) <ul style="list-style-type: none"> First extension of the approval of Form I-800A <p>First change in Convention country after the approval of Form I-800A</p>	\$0
<ul style="list-style-type: none"> Second extension of the approval of Form I-800A Second change in Convention country after the approval of Form I-800A 	\$0
<ul style="list-style-type: none"> Third or subsequent extension of Form I-800A approval Third or subsequent change in Convention country after the approval of Form I-800A 	\$455
<ul style="list-style-type: none"> Request for duplicate approval notice 	\$0
<ul style="list-style-type: none"> Significant change and updated home study and there is no request for a first or second extension of Form I-800A approval or first or second change of Hague Adoption Convention country on the same Supplement 3 	\$455
<ul style="list-style-type: none"> Form N-600, Application for Certificate of Citizenship <ul style="list-style-type: none"> For certain adoptees 	\$0
<ul style="list-style-type: none"> Form N-600K, Application for Citizenship and Issuance of Certificate Under Section 322 <ul style="list-style-type: none"> For certain adoptees 	\$0

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

A. The rule changes the validity period for approval of a [Form I-600A, Application for Advance Processing of an Orphan Petition](#), from 18 months to 15 months for Form I-600A applications filed on or after April 1, 2024.

Another key change is that we created a form supplement (Form I-600A/I-600, 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).

This version of Form I-600A/I-600, Supplement 3, is the only form that you should use to notify us about significant changes, extension requests, change of country requests, and the like. Do not use any previous versions of this form or other previous notification methods.

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 of Citizenship and Naturalization for qualifying adoptees.

Q. Why did USCIS change the validity period for [Form I-600A, Application for Advance Processing of an Orphan Petition](#), and What is the new validity period for each?

A. The new validity period for both orphan and Hague approval notices is now 15 months from the date of approval. You will see this on your approval notice. We may request new biometrics before approving the application so that we may keep the fingerprints current as well. We revised and republished revisions to the orphan and Hague regulations to eliminate the disparity between the 18-month approval period for the Form I-600A, the 15-month validity period of FBI fingerprint clearances, the 15-month approval period for a Form I-800A, and any approved extension. Please note extensions should be filed timely to avoid rejections. Families may file to extend their suitability approval up to 90 days before it expires.

Note: There may be some instances where the biometric validity period and the 15-month Form I-600A and Form I-800A validity period do not perfectly align due to operational limitations and may differ by a few days on the approval notice. The validity period for approvals is 15 months from the approval date.

Q. Do fee exemptions for adoptees apply to all adoptees regardless of their visa type?

A. There is no specific visa type requirement for fee exemption eligibility for adoptees. Each type of form has a different fee, as listed above.

Q. What are the biometric services fees for Forms I-600A, I-600, I-800A, and I-800?

A. We must have biometrics from each petitioner, spouse, and any adult member of the household. Biometrics are generally valid for 15 months. The costs of biometric services are covered by the fee for the application, petition, or supplement. Therefore, there is no separate biometric services fee.

Q. If I submit a Form I-600 and, afterwards my Form I-600A expires, do I have to request an extension?

A. Once you file your child's Form I-600 petition, you do not need to continue to extend your Form I-600A suitability approval.

Q. Do the fee exemptions for birth siblings include half-siblings?

A. Yes. The fee exemptions apply to both full- and half-birth siblings.

Q. Who will qualify for the adoption Certificate of Citizenship fee exemption? Is someone who arrived as an IR-3 or IH-3/4 who never received a certificate eligible for the fee exemption?

A. The fee exemption for qualifying adopted children filing Form N-600 or Form N-600K is not limited by age or category. A fee exemption applies to an adult adoptee filing Form N-600 if they were the subject of a final adoption for immigration purposes and met, before the age of 18, the definition of a child under section 101(b)(1)I, (F), or (G) of the Immigration and Nationality Act.

Q. Do the fee exemptions for Certificates of Citizenship and Naturalization apply to all adopted children, regardless of when the adoption was finalized or when the child immigrated? Or does the fee exemption only apply to new adoption cases?

A. The fee exemptions for qualifying adopted children apply to all Forms N-600 and N-600K postmarked on or after April 1, 2024. These fee exemptions do not depend on the adopted child's date of adoption or immigration if the child meets (or met before the age of 18) the definition of a child under INA 101(b)(1)(E), (F), or (G).

Q. Will adoptees of U.S. families who reside abroad qualify for the fee exemption when filing Form N-600K?

A. Yes. Qualifying adoptees filing Form N-600K are exempt from paying a fee.

Q. For the fee exemptions for adopted children, do you need to submit Form I-912 or a written request for a fee waiver?

A. No. Because these are fee exemptions, there is no need to request a fee waiver.

Temporary Protected Status (TPS) and Deferred Action for Childhood Arrivals (DACA)

Q: What are the fees for Temporary Protected Status (TPS), and have they changed?

A: The Immigration and Nationality Act caps the TPS initial registration fee at \$50 for both paper and online filing of [Form I-821, Application for Temporary Protected Status](#), and does not allow a fee for re-registration. Thus, the new fee rule does not change the previous fees for Form I-821.

The new fee rule will lower the TPS applicant or re-registrant biometric services fee from \$85 to \$30.

TPS applicants may submit [Form I-765, Application for Employment Authorization](#), with the new fee of \$520 for paper filing or \$470 for online filing, or they may submit a [fee waiver request](#). At present, applicants can submit a fee waiver request only with a paper filing.

Q: What are the fees for Deferred Action for Childhood Arrivals (DACA), and have they changed?

A: The fee rule makes no changes to DACA, the validity period for approved DACA renewals, how often DACA must be renewed, policies on DACA recipients' ability to request advance parole, or any DACA-specific fees. The fee for [Form I-821D, Consideration of Deferred Action for Childhood Arrivals](#), has not changed and is still \$85. However, DACA requestors must submit a [Form I-765, Application for](#)

[Employment Authorization](#), with their Form I-821D. The new fee for Form I-765 is \$520 if filed by mail and \$470 if filed online. There is no fee waiver available for Form I-821D or for the required DACA-related Form I-765.

Q. Is there a difference in price between DACA C33 EADs and non-DACA EADs?

A. The fee for DACA-based EADs (C33) will be the same as the general fee for Form I-765: \$520 if filed by mail and \$470 if filed online. However, C33 applicants will not be able to request a fee waiver.

Premium Processing

Q. Does the most recent publication of the final rule (Jan. 31, 2024), which stipulates relevant fee increases on April 1, 2024, affect the previously announced premium processing fee increase that took effect on Feb. 26, 2024?

A. The [Adjustment to Premium Processing Fees](#) final rule published on Dec. 28, 2023 and went into effect on Feb. 26, 2024, increasing the fees for [Premium Processing](#).

Separately, the final fee rule discussed in this FAQ, [U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements](#), published on Jan. 31, 2024, and goes into effect on April 1, 2024. This rule adjusts *non*-premium fees on the USCIS fee schedule (see [Form G-1055, Fee Schedule](#)) and changes certain other immigration filing requirements.

The January 2024 fee rule does incorporate the premium fee increases made in the December 2023 premium processing fee rule. However, the premium processing fees that went into effect on Feb. 26, 2024 will remain the same on April 1, 2024 under the new fee rule.

Q. When does the time frame for premium processing change from calendar days to business days?

A. This change from calendar days to business days takes effect on April 1, 2024.

Genealogy

Q. What are the new fees for genealogy?

A. Form G-1041, Genealogy Index Search Request, has a filing fee of \$80 for paper and \$30 for online filings.

Form G-1041A, Genealogy Records Request, has a filing fee of \$80 for paper and \$30 for online filings.

Q. When will USCIS implement the new policy of providing copies of all digitized records along with the Index Search response for Form G-1041?

A. The new policy goes into effect April 1, 2024.

Q. How will pending Form G-1041 requests be handled? Will USCIS apply the new policy retroactively, for Index Searches submitted before April 1, 2024?

A. G-1041 index search requests pending on April 1, 2024, will benefit from the new fee rule, which will also assist in our backlog reduction efforts. Any index search request that is pending as of April 1, 2024, will receive copies of all digitized records along with the index search response for any paper files that might exist. USCIS will provide additional instructions in the response on how to request these additional records.

Q. Will the Genealogy Program be able to physically mail copies of documents (as opposed to sending CD-ROMs) if a request is the request online? Many entities require these documents to be in physical form (along with the manilla envelope they came in).

A. The Genealogy Program provides paper copies of subjects born in Italy or Germany. All other countries are provided on a CD-ROM in response to these requests. The Genealogy Program cannot provide certified copies or an original copy. We made agreements with the Italian Consulate and German Consulate that the applicant must present the packet provided by our office containing a photocopy of the naturalization certificate, the USCIS Genealogy Program response letter that is stapled to the records, and the envelope they arrived in to the Consulate in the United States. In any instance, this serves as the only form of authenticating that the records were provided to you by the Genealogy Program. We do not have agreements with any other country right now.

Q. How will you handle hybrid files? Some C-Files have a paper component and a digitized component. If I submit a Form G-1041, will I receive both the C-files and any digitized component, or will I have to file a G-1041A to receive the digitized component (if it exists)?

A. When you submit a Form G-1041 for an index search, we will provide all digital paper file numbers associated with the subject of your request. We will provide additional instructions on how to request any paper records.

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. 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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Last Reviewed/Updated: 10/30/2024